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HOME RULE IN NEW YORK STATE

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Home rule in the United States has for many years been confined to the states west of the Mississippi. As late as 1920 Ohio and Michigan were the only eastern states giving their cities autonomy. Since that date, however, there has appeared a tendency in the larger urban industrial states to treat cities more generously. New York in 1923 and Pennsylvania in 1924 have now joined the ranks of home-rule states. But many of the largest states, for example, Illinois, still give no such power to their municipalities, while in Massachusetts it can still be said that cities have the same legal status as "an infant, an idiot or a lunatic."

The addition of New York to this group has just been rendered certain. On September 2, the court of appeals of the state rendered a unanimous decision declaring the home-rule amendment to have been validly adopted.[1] This ended two months of uncertainty caused by the decision of the appellate division of the supreme court in New York City that the home-rule amend-

[1] Browne v. Board of Estimate and Schieffelin v. Mills. The court after special hearing issued an advance opinion sustaining the amendment. There was some need for haste owing to its bearing upon the September primaries. A month later, October 6, the court gave its opinion and decided the other question raised by these cases. See *infra*, p. 703.

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ment was not validly a part of the constitution and that all state and local legislation passed under its aegis was void.

It should be noted that the question involved in this decision hinged not on a home-rule point, but on a matter of constitutional law. The constitution in New York State, like those of almost twenty others, requires an amendment to be passed through two successive legislatures before being submitted to the people. After the home-rule amendment had passed through one legislature and was waiting action by the second, another amendment to the article which the home-rule amendment proposed to abolish, namely, the article relating to the well-known mayor's veto, was adopted by the people. This amendment was of a very trivial character, inserting but three words "the clerk of" before the words "house in which it originated," to which such local bills were to be returned. In submitting this amendment, the whole article which was to contain it was repeated. The lower court held that the adoption of this intervening amendment operated to nullify the first passage of the home-rule amendment.

The highest court of the state, however, dismissed this contention saying, "We find neither precedent nor adequately persuasive reason to support this implication," for admittedly all of the detailed requirements set forth had been observed, except the provision as to entry on the journal, on which point the higher court again reversed the New York City judges, accepting a descriptive entry as sufficient. This decision, therefore, frees the cities of the state to continue the self-government which they had been enjoying for almost a year when their authority was called into question.

Such an experiment as municipal home rule in a state like New York is of peculiar interest. The state has sixty cities ranging from Sherrill with 1,761 to New York City with its more than six millions, including such well-known industrial cities as Buffalo, Rochester, Syracuse, Utica, Poughkeepsie, Troy and Schenectady, to mention but a few. Indeed, eighty per cent of the people of the Empire State live in cities, and sixty per cent of the entire state lives in New York City, which covers

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326 square miles, including 577 miles of waterfront, and has a government employing 100,000 people and spending $775 a minute. Under such diverse and gigantic conditions home rule is certain of a thorough test.

The movement for home rule in New York state is not a recent one. In the early seventies the Tilden Commission on Municipal Affairs recommended it. In 1883, a fairly liberal home-rule amendment passed through one legislature and was tabled the year following on the motion of Theodore Roosevelt, then assemblyman, by a vote of but 58 to 42.[2] But the cities of the state were destined to have to wait forty years before attaining local self-government. During this period special legislation consumed much of the time of the state legislatures. In the constitutional convention of 1894 there were eight home-rule proposals, but the cities had to content themselves with the "mayor's veto" on local legislation, which scarcely achieved its purpose, though it gave cities a voice in legislation affecting themselves. Anywhere from twenty to forty per cent of the legislation at each session continued to be matters affecting solely individual cities. Between 1911 and 1920, more than seventeen hundred such local bills were passed.

One result of this was that the charter of a city ceased to be a document, but became a conglomeration of all the laws which legislative homeopathy from time to time concocted for its particular benefit. New York's city charter, "a thing of shreds and patches," was perhaps the masterpiece of this intricacy. In itself it was a document of no mean proportion, filling some three hundred printed pages, but it alone did not disclose the metes and bounds of the city's jurisdictions. In 1921 the New York City Charter Commission made a brief digest of special laws of the legislature relating to New York City, which in fine print filled thirteen hundred printed pages. One scarcely wonders that such a government should cost so much a minute.

Not merely were the sources of city government in hopeless chaos, but the legislature itself wasted much of its costly time

[2] Assembly Journal 1884, pp. 571, 1262.

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passing laws permitting Saratoga Springs to license dogs,[3] permitting bodies to be removed from cemeteries in Utica,[4] allowing persons owning abutting property to make connections with water mains in Watervliet,[5] authorizing clerk hire by the chamberlain of Oswego,[6] or requiring snow removal by the property-owners in Poughkeepsie,[7] or abating the smoke nuisance in Albany.[8]

As time passed, it became increasingly necessary to relieve the legislature of this annoyance and free the cities from the necessity of constantly lobbying at Albany to secure necessary, frequently urgent, changes, or prevent harmful mandatory legislation.

The present amendment is the result of a movement, which began about 1910. A group of civic organizations united to prepare such an amendment and urge its passage. These encouraged the formation of the "Conference of Mayors and Other City Officials," which still serves in this state the function which leagues of municipalities perform elsewhere. The first concrete result was the passage in 1913 of the Municipal Empowering Act,[9] which proved little gain. Greater advantage accrued from the Optional Form of Government Act[10] passed the next year, permitting cities of the second and third class to adopt any one of six different forms of government including commission and city-manager plans. A few of the cities in the state are still operating under the forms provided by this act.

In 1915 the constitutional convention of that year, after much urging, incorporated an amendment, none too satisfactory to ardent home-rule advocates, in the constitution which it submitted. This entire constitution, however, was rejected by the electorate.

[3] Chapter 127, Laws of New York 1912.
[4] Chapter 374, Laws of New York 1916.
[5] Chapter 264, Laws of New York 1916.
[6] Chapter 577, Laws of New York 1916.
[7] Chapter 456, Laws of New York 1916.
[8] Chapter 781, Laws of New York 1913.
[9] Chapter 247, Laws of New York 1913.
[10] Chapter 444, Laws of New York 1914.

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The next year the present amendment was revised and pushed with renewed vigor. At every session thereafter it was reintroduced in substantially its present form. In 1917 various of the civic organizations of the state were united into the State Association, which took up the home-rule cause and was joined by numerous organizations from New York City. At length, in 1922, legislative leaders showed signs of readiness to accept the home-rule amendment. They insisted, however, in modifying the proposal, at least to the extent of eliminating control by New York City over counties within its limits. Many of the organizations, particularly those in that city, were unwilling to make this compromise, but it was at last agreed to in the hope that sooner or later New York could absorb the local county governments, for the city embraces five entire counties, each with its sheriff, its register, its county clerk and other elective and appointive officials, with salaries ranging from ten to twenty thousand dollars a year. Yet, though the expense of all this county administration was, and still is, paid from the New York City treasury, the city, as a corporation, has no administrative control over these county officers, and the average citizen has not the remotest notion of where county jurisdiction begins and the city authority leaves off. But for political reasons the union of the two still continues to be delayed.

The home-rule movement was not without opposition. Organized labor in the state had written into the old article on cities a provision empowering the legislature to prescribe the maximum day and minimum conditions on municipal work. They greatly feared that the grant to the cities of power over their local governments would impair these hard-won standards, though it seems that the amendment proposed, both specifically and by every implication, would accomplish nothing of the sort. After a fuller study of the question labor at length endorsed the amendment and worked for its ratification. More active opposition came from public-utility interests and real-estate owners, but the former made no vigorous campaign because of the clear intent of the framers of the amendment to exclude utilities from city control, and grant no power of municipal ownership opera-

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tion or of utilities. The chief jeremiads, therefore, came from the United Realty Owners Association. Their president shook his head darkly and looked to the sky for ill omens. Said he: "The popular vote in large cities is emotional and unreasoning. The people must be saved from themselves. . . . . Experience has shown the direct realty taxpayers are not to be entrusted to protect their own interests and if they are not, certainly the rentpayer is not," presumably meaning, not to be trusted to protect the interest of the realty taxpayer. His fears were inspired by the horror of "free dentistry, free oculary, free drugs, free medical advice and like . . . fads and fancies."

The objectors made common cause, insisting that the whole proposal was vague and ambiguous, and likely to breed endless uncertainty and litigation. Despite these protests, however, the campaign for adoption was successful. In all but one small city, the majority favored it. The final result at the November election, 1923, was 957,108 for to 510,947 against.

Throughout the twelve years of campaign for the amendment, at least two principles had stood out. All who had any sympathy with the home-rule cause insisted that the amendment must provide both power and protection, power for the cities over their local affairs and government, and protection from special legislation on the part of the state legislature that would invade this sphere. As finally expressed, the New York amendment gave to cities complete power over their "property, affairs and government." In this respect it is following the tendencies of more recent constitutions as, for example, the Wisconsin grant of all "matters of local concern," or the Michigan "municipal affairs," or the Ohio "local self-government." Besides this fairly broad grant of power, the cities of New York are given unusual freedom in the use of it. The power is not contingent upon the adoption of a home-rule charter. Every city can exercise this power through its existing governmental agencies. This is warranted by the experience of other states. San Francisco and Minneapolis both were denied home-rule power for twenty years because of inability to agree upon a

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charter. The latter city finally adopted the expedient, already employed by Lincoln, Nebraska, of collecting all the existing state laws regarding the city's government and submitting them as a charter, in order that the city might be free to amend such charter thereafter.

The New York constitutional amendment is silent on the question of charters. Indeed, in view of the fact that the city's power is limited to its "property, affairs and government," it may be doubted whether the city could adopt an entire charter which would almost inevitably have to include matters beyond that field. Their power of amendment, however, renders this a less serious problem. It is likely that cities in New York, as in Texas, will content themselves in large measure with amending their existing charters. The City of Rochester prepared a new charter, consisting of a series of rather broad, far-reaching amendments, and undisturbed by the New York City decision passed this law in time to go on the ballot in November. The little city of Sherrill was more intrepid. Though the only city in the state whose officials opposed the home-rule amendment it became the first to adopt a charter under it. The charter ratified by popular vote August 12 is, however, likely to be challenged because of the failure of the city to precede it with a local law providing for hearings on local laws. This apparently is the only requirement laid down by the enabling act before a city may exercise its new powers. Two other cities have attempted to adopt manager government this year under the optional government law but the vote in both was negative.

The powers which the cities of New York obtain by the amendment are not, however, strictly speaking, self-operative. They are contingent upon action by the legislature. But such action was rendered practically imperative by the protective feature of the amendment, which prohibited the legislature from passing "any law relating to the property, affairs or government of cities, which shall be special or local either in its terms or its effects." Such a rigid, apparently watertight, provision, almost the only unambiguous clause in the amendment, would

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have left the "property, affairs and government" as a sphere of anarchy, had not the legislature granted the power which the amendment clearly intended.

True, the legislature may deal with these subjects by general legislation, if it so desires, and it may, on a message from the governor stating that an emergency exists, and by a two-thirds vote in each house, pass laws that are not general in their application, but Governor Smith has shown no disposition to furnish such emergency messages under ordinary circumstances, and the two-thirds majority might not have been easy to achieve.

The power of the legislature to pass general legislation is, of course, important. Thus, the contention already referred to that the labor laws were in danger by the amendment appears to be unfounded. All these laws are general in their operation and no city could trespass against them. It was perhaps intended that the legislature should make rather liberal use of this power to pass laws of general application, but the experience of the first year does not indicate that this promise is going to be fulfilled, if indeed it would be desirable.

In fact, the amendment itself appears to have been designed to provide not constitutional home rule, but legislative home rule. The supporters of municipal self-government were never able to catalog the powers which they believed cities should and should not have. In writing a general phrase into the constitution, this burden would devolve either upon the legislature or the courts. It was urged, for example, when the amendment was pending, that the legislature would decide specifically with what matters the city would and could not deal. When the proponents of the amendment were charged with vagueness, they insisted that the amendment was not self-operating and that all the detail would have to be worked out in the enabling act. They were inclined to admit that throwing the matter into the courts would not be a highly satisfactory solution.[11]

When the legislature in 1924 found itself finally under the necessity of passing an enabling act or leaving the cities hog-

[11] Article by Laurence A. Tanzer in *State Bulletin*, March 1922. Mr. Tanzer as counsel for various of the civic organizations in the state drafted the amendment.

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tied for another year, it proved impossible to provide the detailed legislation contemplated. No study had been made of the subject and there was far too little agreement upon it. As a result it resorted to that rather elementary device, sometimes called "passing the buck." Upon the courts devolved the responsibility of deciding what "property, affairs and government" means. It may be doubted if this outcome is wholly desirable. Legislative home rule, such as exists in Michigan, is far more flexible than the judicial home rule of Minnesota or Ohio. The acts of a legislature may be easily and steadily revised as changing conditions or public opinion require, but the pronouncements of a court as to the meaning of a constitutional grant become for all intents and purposes part of the constitution itself, modifiable only by the elaborate and frequently long-winded process of constitutional amendments. And aside from this, the courts should not perhaps have thrust upon them what is essentially a policy-determining function. In construing such a phrase as this one of the New York constitution or the similar phrases mentioned from other states, there is virtually no law to guide the court, as there was no law to guide the framers of the amendment in selecting the language except in one or two instances to be mentioned presently.

The Enabling Act[12] in New York merely reënacted the amendment. It gave to the cities all power over their "property, affairs and government," leaving the courts to determine the bounds of this power. Certain matters which would normally constitute charter amendments were made subject to mandatory referendum.[13] Others, and no clear policy seems to have deter-

[12] Chapter 366, Laws of New York 1924, as amended by Chapter 397, Laws of New York 1925.

[13] 1. Abolishes a branch of the local legislative body, or changes the form or composition of such body, or changes the voting power of any member thereof;

2. Changes the veto power of the mayor;

3. Changes the law of succession to the mayoralty;

4. Abolishes an elective office, or changes the method of removing an elective officer, or changes the term of or reduces the salary of an elective officer during his term of office;

5. Abolishes, transfers or curtails any power of an elective city officer, except for the purpose of transferring the powers or duties of one branch of the local legislative body to the other, or to some other local authority;

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mined the division between this and the preceding section, are made subject to referendum on petitions, but the fifteen per cent required renders such a referendum unavailable to all larger cities. The Enabling Act did, it is true, catalog nine prohibitions upon city legislation,[14] but these were all clearly implied in the constitutional amendment itself and do not represent an exercise of legislative discretion. It seems improbable that even without any of the prohibitions contained in this section the cities would have had any power over the matters mentioned. For the courts, then, remains the problem of saying what the scope of home rule shall be.

In respect to a few matters the court has some guidance. The four matters which have given most difficulty in other states are to some extent settled in New York. With regard to elections, which has been a common source of question, the amend-

6. Creates anew elective office;
7. Changes a provision of law relating to public utility franchises;
8. Changes a provision of law relating to the alienation or leasing of city property;
9. Changes a provision of law relating to the membership or terms of office of the civil service commission of the city;
10. Reduces the salary of a city officer or employee which has been fixed by a state statute, and approved by the vote of the qualified electors of such city;
11. Provides a new charter for such city.

[14] 1. Removes or raises any limitation of law on the amount in which the city may become indebted, or on the amount to be raised in any one year by tax for city purposes, or for any city purpose;
2. Removes restrictions of law as to issuing bonds or other evidences of debt;
3. Applies to or affects the maintenance, support or administration of the educational system in such city, or a teachers' pension or retirement system in such city;
4. Changes the number or term of office of the members of the county board of supervisors, chosen as such, in such city, under the official title of supervisors;
5. Applies to or affects any provision of the labor law or the workmen's compensation law.
6. Changes any provision of the tenement house law.
7. Applies to or affects existing powers of the state comptroller in relation to auditing or examining municipal accounts or prescribing forms of municipal accounting.
8. Applies to or affects any provision of law providing for regulation or elimination of railroad crossings at grade or terminal facilities within the city.
9. Applies to or affects any provision of law relating to the property, affairs or government of a county or counties.

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ment provides that all municipal elections "shall be held on the Tuesday succeeding the first Monday in November in an odd-numbered year." This will render difficult the electoral innovations which have been rather popular in states where cities may provide spring elections with nonpartisan or run-off primaries. Secondly, with regard to courts, the New York state constitution,[15] like those of Minnesota and Michigan, places these rather definitely under the jurisdiction of the state legislature. Thirdly, at the behest of the school teachers, a rather powerful lobby in New York State, education was definitely excepted from the home-rule grant by a section of the amendment itself. Finally, the language of the amendment, by previous judicial construction, eliminates the fourth and most annoying problem, public utilities. The phrase "property, affairs and government" seems to have been chosen specifically because it covered this point. It was taken from the provision of the preëxisting-cities article of the constitution, which provided that special bills relating to "property, affairs and government" were subject to the mayor's suspensive veto. The practice of the legislature, or more exactly the clerks of the legislature, was to interpret this rather liberally, but the courts on two occasions[16] were compelled to determine whether special bills relating to public utilities were invalid because of failure to submit them to the mayor of New York. The court clearly held that this was a matter of state, as distinguished from local, concern and was not subject to the requirement.

This was the first matter to be tested under the home-rule amendment. The passage by New York City, and simultaneously by Buffalo, of local legislation proposing to establish municipally owned and operated bus routes gave rise to two suits,[17] one of which involved the question of the validity of the amendment itself as discussed above. The opinion of the highest court, rendered October 6, follows the reasoning suggested and

[15] Article 6, Section 18.

[16] Admiral Realty Co. v. City of New York, 206 N. Y. 110 (1912) and *In re* McAneny v. Board of Estimate, 232 N. Y. 377 (1922).

[17] Schieffelin v. Mills and Browne v. Board of Estimate, *supra*.

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concludes that neither the amendment nor the enabling act empowers a city "to carry on the business of a common carrier of passengers." The court declined to go further, as it regarded this as the only question presented by the cases before it.

Only one other case arose under the phrase previously. Back in 1896 a decision of the court held that a state prohibition law was not subject to local examination.[18] This opinion was cited by counsel in one of the recent home-rule cases as standing for the proposition that the cities under the amendment secured no police power. While this is not clear from the decision itself, it seems to be substantially the conclusion of courts in other states, notably in Minnesota. In general it would appear that what police power a city may exercise is exercised at the sufferance of the legislature and in any conflict between the two must give way. But such power the cities apparently had, under their ordinance power, before any home-rule amendment.[19]

The lack of litigation thus far is directly attributable to the paucity and insignificance of the local legislation. During 1924 only half of the cities in the state exercised their newly-acquired powers. At least sixteen cities have yet to take any action, and nine of those which passed local laws last year have passed none this year. The total number of local laws passed to date is barely 140, of which about 40 relate to the hearings mentioned above, strikingly below the output of local laws by the legislature prior to 1923. New York City, which last year contributed two, has passed 16 since January 1.

[18] People *ex rel.* Einsfeld v. Murray, 149 N. Y. 367 (1896); Excise and Option Law, Ch. 112, Laws 1898.

[19] One interesting problem that was suggested some years ago when the amendment was pending sheds some light on the exact operation of the independent state and local jurisdiction. Water supply is undoubtedly a municipal affair. But this would not permit a city to go beyond its limits to secure a water supply. The City of New York, however, has purchased huge tracts on both sides of the Hudson River extending even into the Catskills about a hundred miles away. The legislature could not, however, pass a special law permitting New York City to go beyond its limits for water supply because of the nature of the subject. It would seem that the only way the legislature could extend the power and retain a modicum of control would be to pass a general law giving all cities such power subject to the approval of some state body, such as the state conservation commission.

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The subjects treated are also indicative of this timidity. The largest item includes some 34 laws relating to salaries, terms of office, pensions and kindred subjects so close to the heart of local politicians. Twenty-two of the laws deal with matters of departmental organization and an equal number with assessments, improvements and tax sales. Few of the cities have departed from these general categories; but Yonkers has adopted an elaborate zoning law, and Cohoes undertook to appropriate $50,000 for municipal housing. By avoiding a bond issue for this purpose the city appears to have avoided litigation as well and the houses, now substantially completed, are being rapidly sold. The only other items of interest are three prohibition laws, all three identical, passed by Watertown, Geneva and Olean. The constitutionality of this effort seems questionable, and litigation to test it is in progress. The remainder of the laws are of even slighter importance, many of them indicating that little distinction is being made between local laws and ordinances. Strictly speaking a local law should relate to a matter with which a city was powerless to deal prior to the home-rule amendment. The enabling act provides that these local laws shall be filed with the secretary of state and published each year as a companion volume with the session laws, but when such power rests in the same body that passes ordinances and may be exercised at the same meeting, such distinction is likely to be vague if not destined in time almost to disappear. In New York City a bicameral legislature has been formed out of the board of estimate and the board of alderman to exercise this home-rule legislative authority, but elsewhere the existing council handles it along with its former functions.

The restraint in the employment of the newly acquired home-rule power is due in no small degree to the caution advised by the Conference of Mayors. This deliberate caution has been supplemented by the fact that municipal elections occur throughout the state this year and by the uncertainty as to the permanency of home rule, the validity of which had been attacked even before its ratification. The removal of the two latter obstacles is likely to be accompanied by a marked increase in the

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local product, but the cities in the state deserve commendation for their restraint thus far.

Advocates of home rule have taken great pride in the fact that its operation has not been followed by the calamities so freely predicted and in particular has given rise to so little litigation. This last is not an unmixed blessing. The very nature of the amendment requires judicial construction. It is probably desirable that litigation should proceed hand-in-hand with legislation, in order that clear, constructive, judical interpretations may not be impeded by the difficulty involved in upsetting practices which have continued for any length of time.

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TWO FORGOTTEN STUDIES IN POLITICAL PSYCHOLOGY

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While it is true that every writer on politics has been to some degree an observer of psychological facts, the significance of this has never been so apparent to systematic students as it is today; otherwise, writings of considerable merit in political psychology could scarcely have suffered the fate of the two books referred to in the present study and have disappeared from sight. Dr. J. G. Zimmerman's *Essay on National Pride*, published at Zürich in 1758, might very well have been the point of departure for extended research into the nature of patriotism and international attitudes; Gottfried Duden's inquiry, *Concerning the Essential Differences of States and the Motives of Human Nature*, published at Cologne in 1822, stated problems and suggested methods for the examination of the realities of political power which ought to have inspired a century of minute research. Both books fell flat, and it is only in this day of numerous soundings in psychological politics that it has become worthwhile to disinter them.

That a book about national pride should have been published two years after the beginning of the Seven Years' War is a sharp reminder that European politics had undergone a transformation. The Reformation was undoubtedly a nationalist movement in many of its phases, but it introduced a series of sectional and party disturbances which intercepted the progress of nationalism. These had subsided, and by the eighteenth century the clash of competing imperialisms became not only a basic fact but a fact of which the men of the age were aware. Dr. Zimmerman could lament shrewdly in his essay, "Yet Newton will often be called an almanac maker, and Montesquieu a blockhead, while the

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French and English struggle with all their power for the mastery of the American trade." Given the fact of conspicuous nationalism, systematic reflections about it were likely to arise in an age in which the printing press was a favorite tool.

The man who actually prepared the *Essay on National Pride* was disposed to the task by an array of personal traits and experiences. Born in 1728 in the Swiss Canton of Bern, he acquired from his French mother a familiarity with the French language which opened to him in later life the heritage of that culture. His medical education was acquired in Germany at the University of Göttingen, where he took his doctorate in 1751, before proceeding to Holland and France for six months of travel preparatory to his return to Switzerland. He maintained an extensive correspondence with his old teacher, Albrecht von Haller, whose biography he wrote, and with various scientific and literary acquaintances in France and Germany.

Zimmerman's penchant for psychological inquiry was determined by a pathologically sensitive nature. He is said to have inherited from his mother those recurring fits of brooding depression which often drove him from the society of men and finally developed into the derangement which appeared in the last few months of his life (1795). In 1756, two years before the appearance of the *Essay on National Pride,* the young physician had published the first version of the *Essay on Solitude* which, in a later form, won for its writer a gold casket from Catherine of Russia (1785), and a secure place among the minor literary lights of a brilliant century. He had already prepared a doctor's thesis upon *De Irritabilitate,* and these excursions into the realm of the essay were obvious reliefs which he interspersed among such professional treatises as the one upon dysentery (1767). From 1768 he was the personal physician to His Britannic Majesty at Hanover, where he kept in touch with the chief literary and political figures of the day. Among his quarrels was one with Goethe, and among his attachments was one to Frederick the Great, whom he defended against Mirabeau.[1]

[1] There is a short biographical note by Rudolph Ischer in the *Allgemeine Deutsche Biographie,* Vol. 45 (1900). See also: Rudolph Ischer, *J. G. Zimmerman's*

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The essay on pride grew from his reflections on being asked to write a preface to a collection of biographies. He was very much struck by the fact that national pride seemed to result in things both good and bad, and he started out to sift the good from the evil. His quest for the means of controlling the excesses of pride led him to make the analysis of the causes of national pride, which gives his essay some enduring value as a pioneer piece of social psychological explanation.

Dr. Zimmerman's treatise takes its departure from the proposition that "Every nation contemplates itself through the medium of self-conceit, and draws conclusions to its own advantage, which individuals adopt to themselves with complacency, because they confound and interweave their private and their national character." Such joint conceit he finds to be universal. The Greenlander who laps with his dog in the same platter despises the invaders of his country, the Danes. Ask the Caribbee Indians who live at the mouth of the Orinoco from what nation they spring, and they reply, "Why, we only are men."

To account for this universal phenomenon he singles out a series of causes. Some nations regard themselves as of great antiquity. "The vanity of mankind has ever filled the immense vacuity beyond the authentic memorials of the origin of every nation with fabulous history, at will removing their antiquity to the remotest ages in order proportionally to increase their luster." The Japanese, Chinese and Indostani claim descent from the gods. "The yet uncivilized inhabitants of Paraguay give to the moon the endearing appellation of mother; and when their parent is eclipsed, they run out of their huts with the greatest activity, and making the most hideous lamentations, they shoot a vast number of arrows into the air in order to defend the moon from the dogs who attack her."

Leben u. Werke, Bern, 1893; Dr. J. Minor, *Fabeldichter, Satiriker und Popularphilosophen*, 1900. For the German text of the Essay, I have used *Vom Nationalstolze*, 4th Aufl., Zürich, 1768; for an English translation, see the *Essay on National Pride*, by the late Dr. J. G. Zimmerman, Aulic Counsellor and Physician to his Britannic Majesty at Hanover, Samuel H. Wilcocke, N. Y., 1799. With an account of the life and writings of Dr. Zimmerman.

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"A people who conceive that they alone profess the true religion will not only believe themselves under the immediate protection and objects of the peculiar favor of the Supreme Being, but will express the most ill natured abhorrence for the followers of another religion." The Jews, Mohammedans and the Brahmins are in this class.

Pride likewise arises from supposed liberty, valor, power or reputation. The Greeks gloried in liberty, in the bravery of their ancestors, and in the power of their military establishments. As an example of the pride which springs from a supposed reputation abroad is retold the story of the Khan of Tartary "who has not so much as a house, and who subsists solely on rapine," who when "he has finished his repast of mare's milk and horse-flesh in his tent, causes a herald to proclaim that all kings, princes and potentates of the earth now have his permission to go to dinner." Some nations pride themselves on the reputation which they have acquired in the arts and sciences.

The national constitution is a matter of pride. The republicans persist in equalitarian strivings, although it may sometimes lead to the state of affairs related by a peasant of the canton of Appenzel, who remarked that the inhabitants of a certain republican city had cut off the head of one of their fellow-citizens because it was the only head among them. The glory of the monarchical nation is a wise sovereign.

The author introduces two categories of cause which overlap the others when he speaks of pride resulting from ignorance of foreign affairs and from ignorance in general. He tries also to separate the causes into imaginary and real, but such a distinction is of little value to the observer of psychological facts.

When he discusses the effects of national pride, he invents some interesting hypotheses. While contempt for another nation lessens envy, it does not lessen hate, since "an enemy is a subject of hatred in proportion as he awakens our fears; he may be inexpressibly contemptible, but his power may be great; and we shall never cease hating him till his power can have no influence either on our happiness or misery." He seems to refute this by asserting that extreme contempt increases the points of honor

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whose violation may result in collision. There is less exception to his proposition that pride by diminishing envy "makes happy fathers, happy citizens and happy subjects, with no better fare than black bread, hard cheese and buttermilk," for he is here relating a fact which illustrates the workings of compensatory phantasy. He points to the resistance of the French to the advances of Descartes, to the doctrine that the blood actually circulates, and to inoculation, for the purpose of showing that national pride may deprive nations of many advantages which arise from the inventions and knowledge of others.

He makes some specific suggestions for the control of national pride. He would not sacrifice national pride altogether, and so he would fire the ambition of children with stories of famous men and the exploits of the nation as a whole. In order to correct excessive price he would increase the knowledge of other nations by translating their literature. He also cites with approval his friend Iselin, who wrote in his book on Helvetian Virtue that: "Every nation should promise a reward to those who shall display in the most obvious light the defects of its Constitution and manners, and the vices and faults of its progenitors as well as their virtues." This will mitigate the tendency of the proud to overlook defects in themselves.

With his scheme of evaluation we need not occupy ourselves, except to remark upon its pragmatic nature. There is comparatively little pontification about his judgments, for he seems perfectly willing to argue every question in terms of specific effects. "Prejudices must and ought to exist among mankind so far as they are useful." "Pride is the source of so many beneficial talents and of so many virtues that we ought not to endeavour to destroy it but to make it subservient to good purposes."

For his case-material Dr. Zimmerman has relied upon histories of ancient times, upon books of travellers in Asia and America, upon personal participation in the heritage of the French, German and Swiss, and upon information from his correspondents. He handles his material with acumen and utilizes sources which were, from the point of view of the historical criticism of his own time, reliable.

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The modern student would demand from the outset a more behavioristic idea of national pride than Zimmerman gives him. He would concern himself with trying to explain why it is that all differences between nations are not actually taken up by a nation as points of honor. He would give more attention to the press as a means of controlling patriotism than did a writer of the eighteenth century. He would explore the possibility of using personality-studies in an effort to explain super-patriots, sub-patriots, and other individualized types who appear in the national group.

Gottfried Duden lived during one of those periods in which the theory of sovereignty underwent rapid mutation. The theory of original contract, which had occupied the center of the stage for more than two centuries, was rudely demolished during his lifetive, and significant departures were made in political thought.

Orthodox theory had been, and continued in large measure to be, a philosophy involving the question of who should wield political power, and to this end the various thinkers shaped their notions of the exact nature of political power. Bodin stood for the French monarchy against the nobles, Hobbes championed the British monarch, Locke justified the Revolution of 1688, and Rousseau provided the doctrinal apology for the forthcoming upheaval of 1789. A philosophy of "ought" implies a standard of value, and to the legal mind the standard easily became a precedent which imposed consistency. The consistent-with-precedent pattern of mind became with monarchomachs the consistent-with-the-original-agreement pattern under the influence of the analogy of private contract. The advantage of arguing from a precedent in the days of weak historical scholarship was that you could put into the precedent as the premise all that you needed to sanction the theory of oughtness which you took out at the conclusion.

The French Revolution precipitated a great conservative reaction in political theory.[2] Against the consistent-with-con-

[2] See C. E. Merriam *The History of the Theory of Sovereignty since Rousseau* (1900).

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tract type of thinking there reared itself with renewed strength the conformity-to-divine-purpose stereotype (De Maistre). The Idealists in Germany altered the pattern to conformity-to-world-reason (Schelling). Both the theologians and the philosophers were abetted in their attack upon the original-contract theory by the new historical scholarship which, by casting into relief the slow process of elaboration which lay behind the contemporary juristic institutions, succeeded in discrediting the assumption that political societies ever had been set up by the process of general contract.

The historians supplied the material for a new departure in reasoning about the nature of political power. Ludwig von Haller, whose six volumes began to be published in 1816, swept the board of the contract dogma and, after reviewing the historical evidence, proposed therefor the concept of sovereignty as a matter of force. He nullified the value of his analysis to some degree by admitting a divine law to prescribe limitations upon force, and his hybrid sovereignty became a convenient pulpit from which Haller could lay down the "oughts."

The importance of Duden's book, *Concerning the Essential Differences of States and the Motives of Human Nature*,[3] lies in its attempt to conceive of political power as a psychological complex of many elements. He is rigidly objective, and tries to explain the forces at work, rather than to justify the forces he prefers to work.

Just why Duden should have written a book so different in spirit from the output of his time does not conclusively appear from an examination of the scraps of biographical material which relate to him. He was the son of a well-to-do apothecary in Remscheid, Rhenish Prussia.[4] He was born in 1785, went through the gymnasium at Dortmund, and studied law in Düsseldorf, Heidelberg, and Göttingen from 1806 to 1810. For a year thereafter he served in the judicial administration at Düsseldorf, and was transferred to the district of Mülheim an der

[3] *Über die wesentlichen Verschiedenheiten der Staaten und die Strebungen der menschlichen Natur.*

[4] His biography, by Friderich Schnake, appears in *Der Deutsche Pioneer* (Cincinnati, Ohio) of January and February, 1875.

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Ruhr. In 1812 he joined an infantry regiment and was an officer during the struggle against Napoleon. In 1814, after putting up a last-ditch resistance to the French, he was only able to save his life by swimming the Rhine. After being mustered out of the service, he returned to the Mülheim district, and received a promotion which enabled him to reside at Cologne, where his book on sovereignty appeared in 1822.

As an advocate he was an observer of human passions, and occupied himself with speculations upon the cause of crime, which he traced to poverty produced by the pressure of population. Emigration, he believed, was the best hope of the poor. He became interested in medicine, and took a leave and then a dismissal in order to study at Bonn. Soon after this he left for America (1824). He purchased 270 acres of land in Missouri which were cleared and tended by labor which he hired, while he wrote and placed his medical knowledge at the service of his neighbors. In 1827 Duden returned to Europe and two years later published a most enthusiastic book upon America[5] which went through several editions and spurred thousands of his countrymen to seek prosperity in Missouri. Some of them were badly prepared to rough it in a new country, and many were the complaints against the *"Duden'sche Pastoral."*

He seems to have regretted his part in creating any misapprehension in the minds of his compatriots, since one of the sub-titles of a small book published in 1837 by him reads, "Duden's regret for his account of his American trip. A warning against further ill-considered emigration."[6] This is the same brochure in which he takes issue with De Tocqueville's account of political institutions in America, and with Chevalier's analysis of the causes of financial difficulties in America.[7]

[5] *Bericht über eine reise nach den westlichen staaten Nordamerika's und einen mehrjahr's aufenthalt am Missouri (in den jahren 1824, 25, 26, und 1827)*, etc., Elberfeld, S. Lucas, 1829; New edition, Bonn, E. Weber, 1834.

[6] "Duden's selbst-anklage wegen seines Amerikanischen reisenberichtes. Zur warnung vorf erneren leichtsinnig auswandern." The title of this publication begins, *Die Nordamerikanische democratie und das v. Tocqueville'sche werk darüber* . . . , Bonn, 1837.

[7] Michel Chevalier, later a distinguished lecturer in political economy at the University of Paris, had written *Lettres sur l'Amérique du Nord*, Bruxelles, 1837. (German edition, Leipzig, 1837; English edition, Boston, 1839).

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Duden also wrote two volumes upon the state of Germany and Europe as viewed from America, and prepared a study upon the forms of the state which appears to have been a rewrite of his earliest book.[8] Neither his life nor his work has received serious notice.[9] He died in 1855 at the town of his birth.

No one can read Duden's book on the *Essential Differences of States* without feeling that here was a mind of more than ordinary penetration. He states very bluntly in his introductory remarks that he expects his readers to regard his conclusions as hypotheses which have served him in the solution of his problem. This self-critical attitude stamps him as one who was singularly aware of his own mental processes. He does not proceed by setting out the specific historical instances upon which he rests his theories, and it is doubtless this omission which accounts in part for the failure of his work to attract attention.

He is in firm possession of the genetic, evolutionary idea of methodology. He believes that the appreciation of state differences depends upon a knowledge of each stage of state development in terms of the series of which it is a phase.[10] Pursuing this method, Duden finds that in the most primitive stage of the state the feeling of dependence upon the head of the family was the chief support of political power. Later with the multiplication of numbers and the setting up of distances between the rulers and the ruled, the fear of a higher being became the chief prop of authority. Other governments were based upon force, but these, he insisted, were temporary unless they were successful in widening their base by securing psychological supports other than fear. Feudal authority is demonstrated to be a synthesis of many more elements than the simple fear of superior force.

The significance of Duden's study lies in his analysis of the motives upon which power is based. He singles them out and

[8] *Europa und Deutschland von Nordamerika aus betrachtet.* Bonn, 1833–35, 2 volumes. *Grundsätze und Ansichten über Staatsformen und deren Ableitung aus dem Wesen des Staats selbst*, Leipzig, 1832. Cited by von Mohl, *Encyklopädie der Staatswissenschaften*, Tubingen, 1872.

[9] See Merriam, as cited, p. 71 (footnote).

[10] "Die verschiedenen stufen eines werdenenden gründlich zu beurtheilen, verlangt, sie in ihrer Reihenfolge zu betrachten," Part III, p. 11.

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frequently discusses them with great keenness, as when he finds that the desire for honor is less important in small communities than in large ones, "since proximity is unfavorable to fiction." His list of dispositions includes the desire for survival, the desire to be free, the desire to have a protector (arising from a feeling of weakness), the desire for a good reputation, the wish to rule, and the preference for quiet.

On the strength of his genetic analysis of the sources of political power, he outlines his general theory of sovereignty. It depends upon recognizing a relation between the desire to rule and the motives to obey. The motives of obedience were the instruments of the will to rule. The ruler cannot act counter to all the motives to obey and at the same time hold his power, and to the extent to which he alienates any motive he narrows the basis of his own power. Aside from these limitations, none exist upon the supreme power.

At one point he recapitulates his doctrine by reminding his readers, "that the power of the state is built up by uniting the means to rule with the will to rule; that the will to rule survives only in the means and is identified with them; that all limitations on the will to rule arise from the nature of the means at its disposal; and, finally, that all the limitations upon the power of the state may be epitomized thus: no power can work effectively *beyond* its base, nor can it work *successfully against* its base."[11]

Duden has cut through the metaphysical abstractions of his time, ignored theological dogma, passed by the fiction of contract, and discarded the unitary theory of force. His hypotheses are psychological and take account of multiple elements.

He goes on to specify the tests which should be applied in attempting to appraise the actual power of any motive. "With respect to direction what is desired? Just what will bring satisfaction? What will interfere with it? Assuming that it becomes satisfied, will it continue to operate as a political force? What is the modifiability, duration and strength of the motive? To what extent does the presence of a particular motive involve a conflict with another motive in the minds of the same people?"

[11] "Keine Gewalt kann über ihre Basis *hinaus* wirken, noch auch *gegen* ihre eigene Basis *siegend* wirken," III, 67.

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This was an effort to state his theory in a form which would permit further research into the dimensions of human motives in particular situations. It was, however, never followed up, and psychological analyses of political life came into the literature of the subject from other and subsequent sources. In England, for illustration, the researches of Sir Henry Maine into the origins of law led him to criticise the Austinian assumption that one element, force, could explain political power. He attached some weight to opinions, sentiments, beliefs, superstitions and prejudices. This led to the distinction, drawn by Dicey and Ritchie, between legal and political sovereignty, and to the researches of Dicey into the importance and of Wallas into the elements of political opinion. Duden's analysis, fragmentary though it was, consisting more often of insights than demonstrations, was pointed squarely in the direction of the most productive line of subsequent political thought.

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THE DOCTRINE OF POWER AND PARTY CONFLICT

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The fundamental problem in politics is that of the balance of power. It is a balance which has to be struck not only in foreign affairs but, quite as much, in the domestic management of states. Only, it may be suggested, when real equilibrium has been secured, is that efficient, smooth and healthy working of the social system possible which finds external expression in a normal and resilient form of conservatism as distinct from the tetanus of the morbid and hysterical form. But it is futile to speak of striking a balance of social interests unless we are justified in supposing that the units have a certain constancy of characteristics and persistence of activity.

Now the units of social force are, in the last analysis, the so-called 'free wills' of the individuals necessarily brought into contact as component members of a society. The contact is necessary: civilization admits of no 'wild ass freedom.' To assert that these 'persons with a will of their own' behave in accordance not only with an 'altruistic' gregarious tendency but also with a differentiating, assertive tendency, is to make a psychological assumption. To affirm that this self-assertive tendency may perhaps be religiously sublimated but that it is under all circumstances inextinguishable, is to make another psychological assumption.

As to whether these assumptions are sound it is not the office of a political experimental[1] scientist to express an opinion.

[1] There is no more inherent impossibility in experimenting with men than in experimenting with pigs. This is not to deny that the political scientist has had to be observational rather than experimental in his methods, since hitherto the control of the laboratories of social experiment has been, perhaps fortunately, under the control of gentlemen amateurs at Westminster and Washington rather than of more pretentious students of social affairs.

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But that, if they were true (or if we acted upon the hypothesis of their truth), it would be possible to deal with 'selves' as permanent nodules, as genuine units, is a consideration to which too much attention cannot be given. The age-long advertisement of the so-called social sciences has been: Wanted, a unit. These units of volitional power would always be making their wills felt in some way; they would be neutralizable but never negligible. Man is interested in the most various things, but he is always interested in 'having his own way.' With the shifting circumstances of the ages, the direction of social self-expression, but not the nature of it, certainly might be expected to change. Against such movements mere repression would be as mistaken in politics as in psychiatry. Men might approximate toward the standards of Ethics by ever subtler and more complete reconciliations of interests, as growing intelligence appreciated the wisdom of such subtlety.[2] But every stage of social development would both involve a potential conflict of forces and display some measure of actual equilibrium.

If there is indeed such a permanent political process underlying events, then perhaps (and for the first time) are we entitled to whisper the words, a Political Science. It is the thesis of Dr. Alfred Adler of Vienna that this inextinguishable will to execute what may happen to be one's will is a psychological fact of objective validity and not merely the philosophical dogma of a Hobbes or the semi-scientific fiction of such writers as Ratzenhofer.[3] Whether this thesis be tenable it is for the psychologist to examine. The would-be political scientist may, however, reasonably be encouraged to take as a hypothesis this saner statement of Hobbes' belief in the demonic possession of every man by 'a restless desire for power after power that ceaseth only in death' and, without obstinate attachment, may yet consider whether it provides him with any clue to a method in the apparently methodless madness of political phenomena.

At present Psychology is in its babbling infancy, and Politics,

[2] This, as I understand it, is the fundamental thesis, underlying the theory of Condorcet. Cf. also Kant's *Idea of a Universal History*, § iv.

[3] *A. Adler: The Neurotic Constitution*, and *Individual Psychology*.

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mightily begotten by Aristotle, tarries in its pre-natal stage. It is then, perhaps, an impertinence to ask hard questions from the one science; or to make rash promises for the other. But the intention of this paper is to enquire from the psychologist whether he can admit this doctrine of the indestructible will unit or, as it might be called, of the 'non-collapsible will,' and to show what use the politicist (to coin a long-needed term) could make of so valuable a concept. If the psychologist declines to be seized of the case and asserts that it appertains to the province of a distant cousin called 'the social psychologist,' then, having made our apologies, we must turn to this new quarter with our query. But it must be emphasized that it is no part of the present business of the political scientist, although he may steal notions useful to him, to play psychologist on his own account. He is better employed, as in Professor Graham Wallas' *Human Nature in Politics* or in Professor W. B. Munro's *Personalities in Politics*, with probing back to 'the effectual truth of the thing' through the study of history in the Machiavellian manner.

No more favorable field for testing whether such a theory of social balance has pragmatic value for the political experimentalist could well be found than the history of party conflict. Here the combatants are in genuine social relations, such as it may be contended do not exist between the citizens of foreign countries. And yet, although all fellow countrymen are constrained to dwell together in amity and to praise patriotism with a cheerful voice, *prima facie* it would appear that we have, in the unhappy fact of persistent party strife, disturbances caused by something more profoundly seated in the social system than the mere inexplicable perversity of the partisans of the wrong party. Unless we are prepared to dismiss the motives of the opposite party outright as due to the inspiration of Satan, this would appear to be a matter which will repay further research.

Röhmer[4] has furnished us with four categories, Absolutist,

[4] Röhmer: *Lehre von den Politischen Parteien*, §38. Cf. Bluntschli: *Charakter und Geist der Politischen Parteien*, p. 27. The analogy drawn by these

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Conservative, Liberal, Radical, under which it is alleged that all phases of party political life can be brought, and which are certainly more exhaustive but perhaps not more satisfactory than the dual division known to all admirers of Gilbert and Sullivan opera. But the antithesis of Conservative and Liberal is not polar: the Mr. Gladstone of the eighties and the Mr. Chamberlain of the opening years of this century are in no such contrast to their youthful selves, and Mr. Churchill in any guise still remains Mr. Winston Churchill. The contrast of Conservative and Radical is more clear-cut, if by Conservative we mean one who seeks to conserve, if not the letter, at least the spirit of the present system, the *status quo* (and thus, as a logical consequence, the spirit of the past), whereas by the term Radical is understood one who believes in the necessity of a root change, whether by evolution or revolution, one whose relation to "the system" is centrifugal.

The quite indispensable and too often neglected task of defining terms accomplished, the phenomena of Conservatism and of Radicalism can be accepted as a suitable subject for investigation, provided that precaution be taken against the frequent error of extracting as the result of our search precisely what we have put into the hat by the legerdemain of our definition.

It would be possible to compose two little brochures, after the style of those writers of *belles lettres* who call themselves political scientists, on the respective philosophies of Conservatism and of Radicalism, describing how the one is retrospective and has as its ideal a return to the law-abiding trustfulness of the Garden of Eden, that first Whig, the Devil, being excluded, whereas the other has in prospect the descent to earth of the New Jerusalem. One could point out how the Conservative's notion of justice is

authors between the mentalities of the Radical, Liberal, Conservative and Absolutist parties and those of the four ages of man, is as misleading as are their speculation as to the genders of nations and institutions with its conclusion that 'our modern World-epoch' shows a moving away from Radicalism (Bluntschli: *ibid.* p. 105). Such analogies may easily lead to the tricking out of prejudice in the garb of science. In these writers the Platonic comparison between the structure of the community and the soul of man seems to be reduced to absurdity. Cf. *contra* G. Tarde: *Transformations du Pouvoir*, ed. 1899, p. 141–2.

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legalistic, the Radical's equitable; and so forth. This traditional circumambulatory method of treatment must be rejected if our object is not to describe but to explain.

But explanations are not lacking. The economist will point out that in the opposition of Conservative and Radical we have just that opposition of Haves and Have-nots which it does not need a Plato or a Disraeli to perceive tends to exist in all societies. It may, however, fairly be objected that men quarrel even more fanatically over issues which do not affect their pockets, in belief or in deed, but only their convictions, than in instances where the contrary is the case.[5] Let us, then, accept with thanks this explanation by the economist of the conflict of the Contented and the Discontented, without yet admitting that we can explain everything by adducing the psychological motives set in action by Hunger and physical discomfort or by considering only the motive of Acquisitiveness. A more satisfactory explanation may perhaps be offered of the phenomena of political content and discontent in terms of the power to execute what may happen to be one's will.[6]

If our fundamental thesis be right, it is the task of a secular

[5] Maine: *Popular Government*, ed. 1885, p. 124.

[6] President Lowell (*Public Opinion in War and Peace*, 1923, pp. 271 ff.) while asserting that "human relations depend upon a vast and delicate adjustment of forces" and, accepting the division of parties into contented and discontented, introduces a cross-division into sanguine and nonsanguine. But the degree of sanguineness (a highly complex characteristic) would appear to vary with the degree to which men are willing to welcome the untried. As between Conservative, Liberal and Radical, this would appear to be explicable in terms of degrees of discontent or of confidence in one's own independent executive powers. At least this explanation would appear to be simpler than Mr. W. Lippmann's "different intuitive estimates of the rate of change in social affairs" (*Public Opinion*, ed. 1922, p. 416). The Reactionary, however, is discontented and yet "non-sanguine." What does this involve? History shows that, when the Reactionary has a policy of "bringing the people back to reason," he is an optimist about the past, and often quixotically sanguine about the future success of his policy. Why then does he desire a return to the past, if not that he was, on the whole, better contented with the past condition of affairs than, not his temperament, but his judgment, convinces him that he is likely to be with any other distribution of power? The first three-party categories are, it is suggested, three degrees, and are, as such, for logical if not for pedagogical purposes, best described by their poles of contented and discontented. There is a very real danger in neat definitions, *e.g.*, of liberalism. The Reactionary is a

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government to hold coördinated in one society, without straining to breaking point its uniting bonds, a thousand interests possibly vital to what those concerned esteem to be their happiness and possibly divergent each, as an immediate interest, from the other. It is not a government's business to enquire, as a moral censor, into the absolute value of these interests but to respect the expressed wills of those concerned in such a manner as to secure both a stable balance at the present and a reasonable prospect of future harmony. If the ruler can mollify the obduracy of the individual will by an appeal to men to discover themselves in the service of some ideal, his task is simplified. But this religious sublimation demands for its success a certain spiritual homogeneity in the community, and without this homogeneity of the denizens of its territory the secular state, which is coercive and composed of citizens born according to the accident of the flesh and not brought into it by free choice, cannot presume to exist.

A government is, then, left with the obligation of striking a balance, by weighing up their strength, between these men each demanding a 'place to grow in the sun.' If it fails, the penalty is *stasis* and civil war. Now such a balance may be obtained by endeavoring to retain the old balance, with the accompanying risk in a shifting world of being too tardy in making the nice adjustments required. The ass may be able to balance his burdens, but only so long as he does not move. Or, as the factors in the process of history change, an endeavor may be made to strike a new and truer balance, an endeavor which is confronted with the problem of how to keep the old balance while the new balance is being struck. The ass will advance, but the merchandise of civilization is spilt on the highway.

special case due to the introduction of the factor of time: it is Retrospective Radicalism. There does, however, appear to be a temperamental reactionary, characterized by suspicion and fear of any idea which would bid him launch away and relax his morbid grip of the *terra firma* of ancestral custom. This temperamental condition is perhaps due to nervous debility. It would appear to be too rare to be assigned as sole cause of reactionary movements. I can, moreover, feel no satisfaction in the assumption that the reactionary (a very subjective term) or the man who swings between radicalism and reaction, *e.g.*, Plato, is a morbid case fit only for treatment in a social clinic.

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If our hypothesis be correct of a society as a collection of units of power, all alike in their real formal will to execute a contentual will infinitely varied, among whom equilibrium must be established, we should expect to discover the above two main ways of dealing with the problem of government. And when we look at the facts we do find these two distinctive methods of striking the social balance. Our investigation of the physiology of the social structure does in fact throw light upon the policies of Conservative and of Radical.

It would, to change the metaphor, be the task of the theoretical statesman, like a dispassionate cook or Plato's statesman-physician, to prepare a governmental broth soothing to the body politic. But party politicians are interested consumers, members of a group constituted to advertise the advantages of a particular diet, and it is their object to persuade the country to accept a broth spiced to suit their own taste. There are, then, differences of seasoning even in wise policy. Serious statesmen of both sides, it is true, would admit the necessity of providing some place in the social scheme for all the members of the society, in which station they may properly be advised to be content. But the Conservative, who is a man of the *status quo*, will advise contentment with that social proportionment of power which has rendered him content, and will see with singular clarity the advantages, and maintain by every influence the stability, of the present equilibrium.[7] The Radical is not merely privately discontented.[8] In a world where the good and the bad are so closely bound up together that bad institutions do not, as in logic, fall straightway by reason of their inherent error, the Radical must spread discontent. He must cut the tie-ropes of sentimental attachment, and see to it that the old *régime*

[7] R. Michels: *Les Partis Politiques, ed.* 1914 (*trans. S. Jankelevitch*) p. 272: "L'organisation politique conduit au pouvoir. Mais le pouvoir est toujours conservateur." Thus Professor Michels explains the tendency of radicals to become conservatives when in power.

[8] Although his discontent may be of a very private nature, *e.g.* some physical disability or childhood inferiority which has balked his will and sets him against the successful according to the measure of this world and their system. *Cf. Quand Israël est Roi*, §iii.

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sinks. Irreverence is his habit and ridicule his weapon in upsetting a system maladjusted in parts. The Radical perceives the strain on the atoms of the compound and desires readjustment even at the cost of chemical dissolution and explosion. The Conservative emphasizes the centripetal force and that the tight relationship is far subtler and less reproducible, if disturbed, than a more mechanical juxtaposition.

It is, then, suggested (and it seems to accord with the facts) that the psychological basis of both parties is the will of individuals for power to execute what may happen to be their will. But, in the case of members of the one party, this will is on the whole gratified and accompanied by a sense of contentment and by an anaesthesia to arguments for change.[9] In the other case, this will is balked and tends to produce restlessness, mental habits of the introspective type, and a pessimistic estimate of the actual and traditional.

III

The thesis that the psychological bases of Conservatism and Radicalism are to be found in two forms of the desire for power may appear so simple as to be a mere truism, and perilously near to the tautology that the explanation of party conflict is that there is a tendency among parties to conflict. But a theory which directs attention to the inherent demand of the individual for self-expression, to the strength of diverse formations and groups of these individual wills, to the stability of the various social balances which may be struck between these units and groups, and to the differences between social engineering or therapeutics and social censorship, if sound, contributes to the explanation, and is not a mere restatement, of the problem of political conflict. The theory is yet open to the misinterpretation that it explains *falsely*, and to the allegation that it is inadequate because it only explains *some* of the facts.

It may be misinterpreted as falsely implying that the Radical, as the 'discontented' party, is essentially a destructive party. But, in so far as the Radical addresses himself to the problem

[9] *Cf. Dicey: Law and Public Opinion in England*, ed. 1905, pp. 14–16.

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of securing a readjustment of power, corresponding more closely with the actual lust for self-expression on the part of the present units of power, his party could as appropriately be described as 'reconstructive.' He is only destructive in the manner that, whether from the sense of a duty to enlighten the world or from a desire to win numbers to the side of his own interests, his policy is to arouse people to a painful consciousness of their individuality by a process called education. He thus alters the stimulus to the individual unit and renders it temporarily eccentric in its orbit from the old system.

Nor is it to be thought that the doctrine of power necessarily involves an 'egoistic' self-interestedness on the part of the Conservative who clings to the ancient order. Without stopping to comment on how far the old terms, 'egoist' and 'altruist,' cause obscurity rather than illuminate discussion, it may be pointed out that Conservatism peculiarly lends itself to moral enthusiasm. I may resent a change of system which will restrict my opportunities and decrease my public importance. It is usually, also, possible for me to feel strongly that a change is contrary to the public interest which lessens my chance of serving the public in the control of affairs. But Conservatism also binds itself up with the sentiment of loyalty, with the respect for ancient pieties, and with that aristocratic austerity which determines to make the best of the thing in hand instead of yielding to the vulgar and undisciplined clamor for a 'change all round.' The Conservative tends to abhor the doctrine that the people has 'a right to make its own mistakes,' to 'learn by responsibility,' which encourages disorder and condones botching. In no few respects, then, Conservatism enables a man to satisfy his moral nature and to execute his will to live such a life as his self-respect dictates as desirable. The Conservative is no more inspired than the moral reformer only by motives of vulgar private advantage. Moral reformers are not always the least self-assertive of men; they do not therefore cease to be disinterested.

More serious is the allegation that other bases of party spirit are to be found; that the theory is too narrow to explain the

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evidence; that *e.g.* the fact of loyalty cannot be accounted for as a symptom of the desire for power.

Now there are many psychological grounds which may be assigned for the cohesion of parties: sympathy and imitation[10] may be given at random as instances. It is enough to say that these reasons are equally valid for any other close groups. Narrowing our field, it is possible to point out that Conservative and Radical alike respond to the appeal of leadership, but that, whereas the Conservative looks to a traditional leader, the Radical has to arouse passion for the exponent of an idea, unless he be so fortunate as to filch a renegade aristocrat not cursed with a proletarian inferiority complex and whose call awakens an habitual response. And so forth. But it is necessary to clear the ground by emphasizing the distinction between the psychological bases of the two attitudes and their concomitant sentiments. Thus Pugnacity may not be the basis of Conservatism, and yet, if it be desired to conserve a system, it may be necessary to maintain a constant stimulus to pugnacity in its defence. Similarly, the attitude to leadership is concomitant, not fundamental.

Loyalty, Timidity, Adventure seem to require fuller consideration:

The uncritical *loyalty* for existing institutions frequently found among Conservatives has earned for them the abusive epithet of the 'Stupid Party' and (a variant yet more misleading) the 'Instinctive Party.' Two points require notice. Loyalty to what is, is a natural concomitant of contentment with what is. Further, if it be the object of Conservatives to defend the *status quo*, it is tactically advisable not to institute an analytical criticism of it, but to bind up the unimpugnable and the more disputable parts of the system together as one untouchable whole. Religion, morality, law, property,[11]—when one is assaulted all are assailed and the reverence which one evokes is an aegis for all, since all are part of the one heritage of the past.

[10] *Bryce: Modern Democracies*, I, p. 112, *ed.* 1924.

[11] *Cf.* Lord Rosebery: "Socialism: the end of all—the negation of faith, of family, of property, of Monarchy, of Empire" (quoted by G. T. Raymond: Life of A. J. Balfour, p. 167).

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What this past may be, is relatively indifferent. Conservative sentiment will cling to the Reformation or the Republican Settlement as much as to Catholicism or Legitimism. Indeed, if too ancient a past returns to life and, breaking loose upon the bereaved mourners, wanders abroad, if loyalism to the day before yesterday becomes an intransigent principle, then Conservatism is confounded by its own logic. On such occasions, if the Radical often plays the bloody part of executioner, the Conservative usually hurries forward as undertaker of a respectful, speedy burial. Conservatism is not born of loyalty; it is only nourished by it.

Fear of change is the corollary of the desire to conserve the present and, consequently (where there has been no violent breach), the past. It is, therefore, to the advantage of the Conservative to stimulate alarmism about the vague grisliness of the unknown. Conservatism may not always repudiate rashness of action, but it discourages a sanguine confidence that 'things will come right,' however boldly the trial and error method may be adopted in political experimentation. It has as little trust in the natural goodness of the man-out-of-power as Radicalism has in that of the man-in-power.

To fan distrust of change into fear of revolution is an easy task. It is the handicap of the Radical that he cannot offer a scheme which, however imperfect, has at least been tried out; he can only conjure up a thousand ingenious possibilities against the murky background of fact. The dextrous pricking of such bubbles affords a malign glee to the Conservative intellectual, while a 'robust common-sense' founded on tempered pessimism remains a conservative asset. No small part of Conservative strategy is to keep the small man with just a little to lose sufficiently alarmed to make him the (perhaps reluctant) ally of the section or institution which is threatened, and to stimulate the timid and coyly independent middle class into some committal form of political activity. For this reason the Tory extremist, with his naïve admissions and crude downrightness, must be suppressed. But Fear is essentially negative and the Conservative policy of Coöperation and Loyalty is not negative. Moreover

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Conservatism has its reasons for desiring to conserve and for being endeared of the old order, reasons which are connected with positive satisfactions. It is moved not merely or chiefly by a neurasthenic fear of the unknown. In so far as fear is habitual with Conservatism, this is but the appropriate complement of its contentment with the outlet for the individual 'will for power' which it finds in the existing order.

The desire for *adventure* and for contradiction, the desire to go on a crusade regardless of the cost, to which Radicalism can appeal so well, may be urged to be positive and fundamental, admitting of no further analysis. The perversion of boyish zest which rejoices in the game of 'Ins' and 'Outs' is not confined to those of a radical temperament, but this team spirit is to be clearly distinguished from the austerer joy of being not merely 'against the government' but 'against the world.' The determination, however, to overcome obstacles, and to 'make good' despite probabilities, appears to be not other than, but a very high form of, that will to carry through whatever one may happen to have set one's heart upon—which is the supposition of the doctrine of power. It is the executive will in a noneconomic and sportive mood. It is the lust for power no longer sensual but spiritual, operating in solitary pride or seeking release through the perfect freedom of service in the name of the conquering Cause. But the same indomitable will, when enlisted by supposed interest upon the side of the possessioner party, will make a man a believer in 'thorough' as a policy and an adherent of a Conservative party which by no means only consists of the phlegmatic, the 'leader-followers' and the habit-loving. And even the littlest leader-followers find power for their little selves through leader-following. Although, then, it may be admitted that many motives conduce to party organization and warfare, other psychological motives need not confuse the issue. The primal phenomena of Conservatism and Radicalism would, it is suggested, be adequately explained were the psychologist able to permit himself to endorse what we may perhaps be permitted to call the Hobbes-Ratzenhofer-Adlerian hypothesis as above restated.

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IV

Having thus briefly expressed what is and what is not meant by the doctrine of power as providing a possible clue to a systematic politics in the labyrinth of historical data, it is well to avoid the danger of appearing to substitute waxen-nosed philosophic entities for the awkward obduracy of the facts. Let us cease for the moment to talk about conservatism and radicalism and turn to the actual parties in contemporary England, the country of which the constitution has been the joy of laboratory demonstrators in politics from Montesquieu to Ostrogorski.

Here we find not two parties but three. The Radical here is the *sans-culotte* brother of the dignified Liberal, a partnership proclaimed over the doors of a hundred 'Liberal and Radical Associations' throughout the land. The Liberal endeavors to stand along with the Conservative as a 'Constitutional' party against a Labour party which is held to be suspect of revolution and to smell, though it be but faintly, of republicanism.[12]

It is impossible here adequately to illustrate how party leaders play upon the minor chords of fear and of traditional affection. It is in the public interest that the monarchy should be above party strife, that the constitution should not be brought into dispute, that religion should not be made a political matter, and that extremism should be weakened. But the older parties, with all the geniality in the world, christen the protesting and eminently respectable Labour leaders with a name which is not 'Constitutionalist,' marry them to the sacrilegious executioners of the Russian clergy, and indicate to them that they are honorably committed to fight in the same ditch with British Bolsheviks: 'No class warfare' is too good a battle cry to be left reposing as a maxim in a book by Mr. Barnes with foreword by Lord Cecil of Chelwood. Thus, again, the exigencies of party conflict lead the more conservative elements to insist that 'Labour' spells 'Socialist', and hereby actually to contribute to converting to Socialism a Trade Union movement. The main

[12] *Vide* the London "Times," Oct. 13, 1924, p. 15.

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point is that a non-Labour government shall be put into power to prevent the advent of that 'Socialist Commonwealth' which will involve restrictions on the liberty hitherto enjoyed at least by the capitalist, if not by all classes. Now this passion for liberty is but the negative side of the desire to execute my own will. To prevent Socialism, party allegiances have been broken, and the voter, in the name of liberty and of the minimum of interference, has deserted the subtle Liberal, full of distinctions and new-fangled plans for interfering with the private right of property in land, for the stalwart Conservative. He goes to the old established firm when he wants goods with the trademark 'Warranted Unstretchable.' To this particular political phenomenon, let us turn for a moment our attention.

The decline of the Liberal party in England is a significant event; the international collapse of the Liberal faith is a stupendous portent, comparable only with the recoil of Protestantism before the Counter-Reformation, and remarkable even for a generation which has witnessed the extinction, in the persons of Hapsburg, Hohenzollern, and Romanoff, of the last tapers in the long-drawn-out obsequies of the Roman Empire and the burying of Caesar. Few subjects can be more deserving of the attention of psychologists than this wilting of creeds.

Various reasons can be assigned for this decline: the workers' appreciation of the superiority of mass-coöperation to the Greek gift of free contract, the popularisation among the educated of the ideals of the Hegelian philosophy instead of the Voltairean Liberal rationalism, the recrudescence of Catholic piety as against the negative conception of independence. But these things are made acceptable by the change of spirit rather than initiate it. It may yet be remarked, of the first case, that the worker believes that he finds such freedom as he may attain in obedience, not indeed to 'perfect law,' but to Trade Union regulations. Individualism, which has been the key-note of Liberalism as struck by the orthodox school, and which may well be struck in the future by Liberals, 'administrative nihilists' and philosophic anarchists, appeals peculiarly to the man of independent mind and independent means, to the man with vitality for

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initiative and with opportunities for 'self-help.' John Stuart Mill provided a Bible 'On Liberty' and Mr. Smiles a People's Version. It does not appeal as a gospel which will give power and personality to the manual worker. The 'natural Liberal' who will work out his own salvation is essentially of the elect. The mass-production mentality of the factory does not favor his multiplication; the explosive energy dammed behind the monotony of industrialism does not favour his intellectual moderation. In its own right and until the prick of Socialism is felt by the masses, Liberalism lacks voting strength, because the classes and interests 'naturally Liberal' no longer constitute as large a proportion as once of the electorate.

Leader-following, a habit which ensures voting without the trouble of thinking, has never been a Liberal trait. The financier and professor cannot appeal to the yokel with the prescriptive right of the squire, or to the country with the name of a Cecil or of a Stanley. The Liberal *monde comme il faut* has yet offered its enlightened services to represent the downtrodden against irrational privilege. Liberalism does not believe in a privileged class. But does it not believe that 'the many' should be represented by those who are not 'the many?' The worker tends to view the Liberal merchant as allied with the ancient orders in their wealth if not in their glory. He prefers to be represented, if direct democracy is impossible, not by an emancipated gentleman as his guardian, but by a man of his own interests as touching social and financial status. Owing to the unfortunate churlishness of the working-class elector, the intelligent Liberal candidate tends to be left in the rather ludicrous predicament of a 'superior person.' The Liberal as Radical has appealed to the sentiment of discontent with 'the system,' with wardship, with 'our betters,' and by the spirit which he has raised up the Liberal as Whig and 'educated gentleman' is destroyed. The Liberal Party lacks strength because of an inability to lead and represent those who are of themselves not 'naturally Liberal.' No one class can emotionally represent another, and the Liberal attitude has itself encouraged disrespect for nonrepresentative leadership.

In brief, the Liberal has for the moment failed to solve the

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problem of the balance of power because, on an occasion when power is demanded and can be grasped by a class of which the several members have the education to understand that they are too weak, by wealth, by influence and by mental sharpness, to stand each alone, the Liberal party has continued to preach the social adjustment which of old favored the clever bourgeois and the exceptionally talented youth, that of Individualism. Now the industrial worker, in order to develop his individuality and to execute his will in his small but increasingly ambitious way, does not want an astral system of mutually independent meteors. For, even if by some preëstablished harmony the greater orbs do not pulverize the smaller, these latter will remain luminaries of but microscopic magnitude. The *popolo minuto* would willingly chain each body in the political system in its orbit, including its own members, so be it that these, if they did not shed themselves much light, might at least enjoy the sun's warmth.

Moreover, the Liberals, while acclaiming the power of the economic democracy, have sought to represent it by those who are not of that Democracy, and thus have raised, perhaps irrationally enough, the doubt as to whether the interest of the typical Liberal and that of this democracy are coincident, and whether the social balance which each would strike is the same.

This illustration from English contemporary politics has been introduced in order to afford a lesson in political realism and to demonstrate the meaning of the doctrine of power and of the balance of forces. It is sufficient if it has been indicated, both by this illustration and by the general argument, that the fiction of a standard unit, a 'political man,' inspired by a constant will to execute an inconstant desire, may prove exceedingly valuable as an organon of political interpretation. The politicist, like the natural scientist, is entitled to make a Noah's Ark world for his own convenience. But the value for science of a fiction without categorical force is small. It may then be suggested that psychology (and, so far as a layman can see, perhaps biology) can make few more valuable contributions to politics than if it can

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further enlighten the political experimentalist, distrustful of the dogmatisms but respectful of the great tradition of the school of Hobbes and Spinoza. The student of psychology can peculiarly reassure the politicist as to the nature of the so-called "self-assertive tendency" in social relations, if he can show that the 'will to execute one's will' is susceptible of repression but not of annihilation, that it admits of sublimation or of deflection by new stimuli, but not of miraculous evanescence or fluctuation.

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THE MEASUREMENT AND MOTIVATION OF ATYPICAL OPINION IN A CERTAIN GROUP[1]

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I. A METHOD FOR MEASURING PUBLIC OPINION

Terms denoting political attitudes, such as 'conservative,' 'liberal,' 'radical,' and 'reactionary,' have long been familiar both in popular usage and in the language of political science. Though sufficiently understood for ordinary discourse, their use is likely to lead to a confusion between a political opinion and the type of person who holds the opinion. There is considerable agreement as to what is meant by a radical view; but is there such a thing as a radical type of personality? If there is, we need a method for the measurement and identification of such individuals. If not (and psychologists are becoming increasingly suspicious of type classifications), we must ask what psychological characteristics in individuals are the most likely to produce a radical trend in political and social convictions. The same observation holds for the other familiar attitudes upon public questions.

A logical procedure would seem to be, first, to measure the distribution of public opinion in a representative sample, and secondly, to select from the various regions of this distribution (conservative, radical, and the like) a sufficient number of individuals for detailed study of the motives and traits of their personalities which give rise to the opinions they hold. This paper will be devoted to a preliminary report on the results of such a study.

The first step, namely, the measurement of the opinion of the

[1] Read in abridged form before the joint session of the American Political Science Association and the American Psychological Association, at Washington, December, 1924.

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group requires a special technique. It will be clear that the conventional method of ascertaining opinion, the arbitrary vote for or against a proposal, is adapted for practical rather than scientific purposes. Carefully graded and standardized scales are needed for any measurement whether physical or psychological. In order to construct such a set of scales the following method was adopted. Seven concrete issues of current interest were chosen, dealing, respectively, with the League of Nations, the qualifications of President Coolidge, the distribution of wealth, the legislative control of the Supreme Court, prohibition, the Ku Klux Klan, and graft in politics. Sixty students, upperclassmen, were asked to write their personal views on the various phases of these questions. The resulting opinions on each issue were then carefully sifted and the distinct and relevant views were assembled. Keeping the issues separate, these views were printed on slips of paper and arranged independently by six judges, teachers of political science and psychologists, in order of their logical position in a scale ranging from one extreme on the issue in question to the opposite extreme. The average rank assigned to each statement was taken as its final rank in the completed scale.[2]

The scales, so constructed, were given out in quiz-section groups to the freshman class (College of Liberal Arts, Syracuse University) whose members were required to take the introductory course in "Responsible Citizenship." Instructions were given to each student to read the scale carefully, and check the one statement in each of the seven issues which most nearly coincided with his or her own view. With each issue there was provided a place for the student to check the *certainty* of his opinion on a graphic scale of five steps ranging from 'extremely uncertain' to 'extremely certain.' A similar scale was provided for checking the degree of *intensity of interest* or *feeling* upon the question concerned. The number of opinions obtained in this manner was, as an average for the various issues, 367.

The graphic representation of the results for the prohibition

[2] The complete set of scales will be found at the end of this article.

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question (figure 4) will illustrate both the scale and its use as a means of measuring the distribution of opinion. The scale, the steps of which are represented along the base line, begins with the statement that "the present prohibition amendment and interpretative statute are satisfactory, and enforcement should be made more severe." This view is represented in column I, at the left; and the number of subjects accepting it, as shown proportionally by the height of the column, is 56, comprising a percentage of the entire group, of 15.5. At the opposite end of the scale, column XIII, we have the view that "the open saloon should be universally permitted." It has only two adherents, comprising 0.6 of one per cent of the group. The second statement, column II, is the same as the first, except that a *more uniform* enforcement is called for. Fourteen and seven-tenths per cent hold this view. The next statement, column III, calls for upholding the prohibition laws, since, though not wholly successful now, they will be successful in the next generation. This is the modal view of the class, having 28.9 per cent of adherents. The fourth step, suggesting that minor changes will be needed from time to time, was unpopular (1.1 per cent). Steps five and six uphold the *principle* of prohibition, though admitting that enforcement is difficult or impossible. With step seven we pass over from prohibition to the side of license. The dotted line indicates the point at which the shift in meaning occurs. Steps seven to thirteen represent, successively—state option (VII), home brew of wines and beers (VIII), government stores of wines and beers (IX), local option (X), beers and wines in cafés (XI), government stores for all liquors (XII), and the open saloon (XIII).

The graph as a whole pictures the overwhelming sentiment for prohibition within this group. It shows also the distribution upon all shades of opinion from one extreme to the other, the small pro-license minority arranging themselves in a little distribution curve of their own, which, except for column X, is practically normal.

The League of Nations issue (figure 1) splits the class into two modes, possibly upon party lines. The scale ranges from

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complete adherence to a policy of isolation (column I), on the left, to not only joining the League but helping to abolish nationalism, and form a world state (column XII). The first mode (column II), comprising 39.7 per cent of the class, votes for Monroe Doctrine, friendly coöperation with other nations, and *staying out of the League*. Intermediate steps range through referendum votes, triple alliances, international conferences, World Court, entrance to League without responsibility under Article X, to the dotted line which brings us to entrance with full responsibility but upon authority of a referendum (VIII). The second mode (column IX), comprising 24 per cent, stands for unqualified entrance with responsibility, adjusting defects in the League after we enter.

Opinions on the qualifications of Mr. Coolidge for the Presidency (figure 2) are distinctly favorable. The scale ranges from "perfectly fitted for the office," on the left to "sure to bring with him a corrupt government" on the right. None held the latter view. The eulogy becomes milder up to column V, which includes those who think he had not yet had a chance to show his ability; the break to the atypical side coming at column VI which represents him as "a little too conservative." The opinions on this question were obtained before the presidential election.

The proposal of empowering Congress to overrule decisions of the Supreme Court on nonconstitutionality of enactments produces two distinct modes (figure 3). The scale ranges from "the proposal is a menace" (column I) to "Congress should have power to over-rule any decision of the Supreme Court" (column XI). The major mode centers in the view (column III), that "even though the Supreme Court has made mistakes, none of its power should be given over to Congress." The steps which group themselves about the minor mode represent, successively, a two-thirds decision of the Court on nonconstitutionality (VIII), modification of the Supreme Court (IX), and full adoption of the La Follette plan (X).

The scale on the question of distribution of wealth (figure 5) ranges in five steps from praise of an extreme individualistic and capitalistic scheme (column I) to the utmost socialism and

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paternalism (column v). The overwhelming mode (65 per cent) takes the view of recognizing a problem in the present status, but opposing government ownership, and favoring equal distribution of opportunity rather than of wealth. We shall return later to a closer analysis of opinion upon this issue.

In figure 6, relating to the seriousness of the corruption in government disclosed by the recent oil scandals, the curve approaches more nearly than any other to the normal type of distribution. The mode (III), comprising 47 per cent of the subjects, represents the opinion that there has been a limited amount of corruption, bringing out weak points in our system of government, but that neither the government as a whole, nor the major political parties, are thereby discredited.

The attitudes in regard to the Ku Klux Klan (figure 7) are widely distributed. A distinct mode, at the extreme left, (I) believes the Klan a menace, and needful of suppression. Steps four to seven, inclusive, show a large number, more tolerantly disposed, who believe the Klan unAmerican (IV), unAmerican, but not as bad as painted (V), unwise in its methods (VI), or in a class with other fraternal orders needing legal regulation (VII). A small minority believe it useful (VIII), necessary (IX), or absolutely right (X).

With these pictures of the 'lay' of opinion before us we may now select whatever portions are of interest for intensive study. Our present treatment deals with the extremes of the scale, sometimes spoken of as reactionary and radical, respectively. These groups are also those whose opinions are in the minority.[3] For this purpose we shall classify them both under the more general term of *atypical opinion*. Some of the more general symptoms of 'atypicality' at the extremes will first be shown. We shall then proceed to a closer study of the personnel which is atypical upon a single issue, namely, the distribution of wealth. This question was selected both for its traditional significance in radicalism and because it gives us a body of sharply distin-

[3] It should be remembered that in irregular curves groups holding minority views may be found also in an intermediate position.

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guished opinion which is both atypical in frequency, and extreme in its logical content.

We wish to emphasize from the start the limits of conclusions to be drawn from the present data. A college group, of course, is not a representative sample of a typical community. The Syracuse group is also probably too homogeneous, and lacking in the clear-cut radical element to be found in other communities. Our purpose is merely to show the possibilities of the method and outline a few factors which we might expect, upon further investigation, to find operative in larger and more representative groups.

II. GENERAL FACTORS UNDERLYING ATYPICAL OPINION: STRENGTH OF CONVICTION; SEX DIFFERENCES

One of the most interesting facts of motivation within our group is one which applies equally to the extremists at both ends of the scale. Let us begin with an *a priori* interpretation and test it later by the facts. First, it is a safe assumption that much, if not most, popular thinking is based upon emotional urges. Secondly, in any issue upon which the mass of people divide into opposing camps, there is probably some truth upon each side, otherwise so many 'reasonable people' would not be converted to one side or the other. The full truth, therefore, probably lies somewhere between the two extremes. Those who approach the very ends of the scale tend to single out one fact and exaggerate it at the expense of a more comprehensive survey of all relevant facts. The hypothesis that these persons are either very dull or ignorant can not be sustained. Another explanation must be found. It is suggested that the atypical extremists are actuated in their thinking by partially repressed emotional drives, and that they develop a method for concealing from themselves and others the fact that their opinion is determined rather by wishes than by the process of reason. Dogmatic certainty and moral conviction are the means adopted to offset, of course unconsciously, the challenge that so extreme a view as theirs should be carefully analysed. To put it another way, if one wishes to hold a certain belief which happens to be of an

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extreme sort, one must have a strong conviction. Otherwise, one can not feel justified in holding the view in the face of the great majority who think differently. On *a priori* grounds we should expect, therefore, that those who stand at the atypical extremes would express the greatest degree of certainty in their opinions.

Now let us look at the facts. In the flat-shaped graph below each curve of distribution, we have plotted, beneath each step of the scale, the average certainty which was felt by the persons who chose the view represented by the step in question. The possible range of certainty scores is from 1 to 5; and the units of vertical distance express the position of the average point of certainty upon this scale.

Conforming to our expectation, we find in the question of the League of Nations (figure 1) that the two extremes, steps I and XII, show the highest certainty of opinion, the averages being 3.1 and 2.9 respectively. At the reactionary end we also find three successive certainty steps upward in direction opposite to the decreasing extremeness of views I, II, and III.

In the graph for the qualifications of Mr. Coolidge (figure 2), there is a slight but steady rise in certainty as we go toward the favorable extreme. The other extremity does not show the tendency, but it may be significant that the average level of certainty for the minority against Coolidge is higher than that of the favoring majority.

In the question of legislative control of the Supreme Court (figure 3), while the greater mode has the higher level of conviction, still our law of certainty toward extremes receives very clear support. Those who consider the proposal a positive menace, the reactionaries, are again of the highest certainty in their opinion. The curve drops for the modal column and rises toward the right extreme of the first mode. Toward the radical end, certainty again rises in four steps paralleling the increase in extremeness of the last five steps of the scale.

In regard to prohibition (figure 4), if we except column X, which is based on only one case, the strength of conviction is clearly lower in the mid-region of the scale and higher toward the extremes. Three well-marked certainty increases accompany the

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trend toward absolute prohibition, and two run parallel with the tendency toward the open saloon.

In the distribution of wealth (figure 5), the reactionary wing express the highest confidence in their opinion, the score being 3.2. The radical extreme does not follow suit; but the great modal position yields less certainty than the two more radical steps just to the right.

Opinion on graft in politics (figure 6) carries at its extremes decidedly the strongest conviction. The step-wise increase is also suggested in columns III, II, and I.

In the curve for the Klan issue (figure 7) we find on the left extreme that three out of four places are high in certainty (though not regularly so); the middle is again low; and the four last steps, which favor the Klan and 100 per cent Americanism, show the usual regular increase of certainty.

We thus find evidence in support of our theory of the relation between atypical opinion and strength of conviction. Reactionary and radical, strong 'pro' and rabid 'anti' are alike in the fact that they are more certain in their opinions than those who lie at a mid-region of the scale. Some may accept our facts but not our interpretation, and say that the right opinion may really lie at the extreme, and therefore strength of conviction is justified. The man feels strongly because he knows he is right. To this we may answer simply that both extremes of the scale can not be right at the same time. Certainty of the kind here exhibited is not an index of objective truth, but an accompaniment of increasing distortion of truth through narrowed emphasis upon one phase. The man thinks he is right because he feels strongly.

An additional fact of some interest remains to be mentioned. The ratings given for intensity of feeling upon the various questions were found to correlate so closely with the ratings for certainty (coefficient above 0.90), that there was little to be gained by plotting separate distributions. Intensity and certainty go together. Intensity of feeling is thus shown to be correlated with increasing extremeness of view at both ends of the scale.

The political implications of these results, if verified by a

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more extensive investigation, are not difficult to see. From the ranks of the atypical, because of their certainty and intensity of conviction, we may expect that there will appear, not only the most aggressive interest in the ballot, but also powerful leaders borne in upon some wave of extremist agitation. The well-known rule of minorities is thus elucidated by experimental findings.

After certainty of conviction, perhaps the most interesting condition of atypicality disclosed by our results is sex. Since a brief statement must suffice, it may be said that the women of the group avoided the extreme positions on the scale, and formed a higher distribution than the men at the mode or modes of the curve. The men predominated, in proportion to their total number, at both extremes. The only exception to this rule occurred in the prohibition question, where a distinctly greater percentage of women than men chose the end positions in defense of prohibition. The conservative tendency of the women was shown most strongly in the questions of legislative control of the Supreme Court and attitude on the Ku Klux Klan.[4]

III. SPECIAL FACTORS OF PERSONALITY UNDERLYING ATYPICAL OPINION ON "DISTRIBUTION OF WEALTH"

In order to come nearer to an understanding of individuals representing different regions of the opinion scale, several group-test and rating forms were given to the freshman class at convocation hours. These included (1) a self-rating study of personality, covering, through the method of checking described degrees of the traits, such fields as home environment, economic status, religion, political opinions of parents, emotionality, ideals, vocational interests, self-reliance, leadership, attitudes toward the sexual relation, insight into self, and social and moral adjustments; (2) a study of personal attitudes (moralistic, conservative, optimistic, cynical, scientific, etc.) conducted through the checking of agreements or disagreements with statements expressing these attitudes in different fields of social relations; and (3) a modified form of Professor Woodworth's

[4] The sex differences shown in the results will be treated in greater detail in a subsequent study.

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psychoneurotic inventory. Finally, individual interviews were conducted with three small samples of subjects representing respectively the reactionary, conservative, and radical points of view.

We shall discuss briefly certain results of the personality-rating study, referring to a few related findings from the other group-test material. The incidence of the various traits has been studied with reference to their frequencies, respectively, in the left extreme, the mode, and the right portions of the opinion curve for the distribution of wealth (figure 5). (a) The atypicals at the left end of the scale represent the opinion that the present form of wealth distribution is fair and wise. The poor are necessarily poor because of inferior ability or laziness. Ability should be rewarded. Government ownership, or legislative control of wealth will bring chaos. For convenience, rather than with a sense of exactness, we may call this the reactionary position. (b) The great typical group of column II believe that the present system, though not wholly satisfactory, is the best so far devised. Government ownership would discourage initiative and foster corruption. Opportunity, but not wealth, should be equally distributed. This we shall call the conservative view. (c) The last three steps (III, IV, V) owing to the small number of cases at the extreme, have been combined into one group. These steps represent increasingly the policy of heavier taxation upon wealth up to the point (column V) of abolishing large fortunes, the increasing governmental control of utilities, and the equalization of reward for services. We may call this combination of steps the radical standpoint.

Unavoidable circumstances limited the number of cases to the following: reactionary group, 21; conservative group 125; and radical group, 35. Though this number is not large enough to be finally conclusive, it may be remarked that the distributions secured from the reactionary group, having only 21, appear to be as regular as those of the conservative group which contains 125 persons. A few of the more suggestive results appear in figures 8 to 16. Upon the base line are shown, by the small letters, the various degrees of the traits indicated, the maximum

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indicated by a plus sign, the minimum by a minus sign. The three groups of individuals are represented as follows: the reactionary with a line composed of long and short dashes; the conservative with a solid line; and the radical with a short-dashed line. The vertical distances indicate the per cent of the group rating themselves as possessing the degree of the trait shown on the base line. The well-known and characteristic errors of self-rating must be borne in mind in the interpretation of these curves.

Figure 9 shows the religious tendencies of the three groups. The ordinate at *a* corresponds to the rating that 'religion plays a vital part in one's life;' *b* signifies only an 'occasional thought' about religion; while *c* is the position of those who take religion 'merely as a matter of form.' It will be seen, both by the large per cent of the radical group (short-dashed line) who rated themselves at *a* and the small per cent of the radical group rating at *c*, that for this group religion is a more vital thing than for either of the others. The conservatives stand next; while the reactionary group is lowest in its interest in religion. It should be emphasized that in the distribution of wealth curve the percentage of women who stand at the radical extreme is only slightly less than that of the men; whereas at the reactionary end the men are in marked predominance. This fact may partly account for the relatively low rating of the reactionaries in religious interest.

Figure 10 shows that both reactionary and radical groups rate themselves as distinctly less rapid in talking and walking than do the conservatives. They show, moreover, a similarity in figure 8, 'tendency toward emotionality,' where they both rate themselves as less emotional than the conservatives rate themselves. It is impossible, of course, to tell whether these ratings represent facts or psychological 'over-corrections.'

Radical and reactionary are also on the same side, rather than opposite sides, of the conservative in reliance upon their own opinion. Figure 11 shows a distinctly higher percentage of both these groups who form their opinions without reference to others (*a*), and a lower percentage who rely slightly (*b*), or considerably

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(*c*) upon others for their thinking. The reactionaries are particularly self-reliant.

Figure 12 shows, however, a difference in the self-rating of the atypical groups on expansiveness (that is, the tendency to air one's opinions). The reactionary group follows the conservative distribution, while the radical element, strangely enough, considers itself as decidedly less expansive.

In regard for the approval of others, the reactionary portion again shows its more independent quality. In figure 13 this group is lower than the others in percentage who admit a continual (*a*), or a moderate (*b*), catering to the good will of others, and is higher in the percentage who do not care what others think about them (*d*). Whether genuine or compensatory in origin, this self-rating shows a tendency toward a personal ideal of social conduct which is highly suggestive.

Figure 14 pictures an attempt to measure degree of insight, or appreciation, of one's own level of intelligence, a trait which has acquired some significance in personality study. A rough comparison was made between the individual's self-rating (relative to the whole class) in general intelligence and his actual relative standing in score in the Freshman intelligence test. The ordinate at *a* shows the percentage of the group over-estimating their intelligence, at *b* those whose estimation was about correct, and at *c* those who under-estimated their intelligence. It is clear that the reactionary group have the poorest insight, the strongest predilection for over-estimating their ability, and the least likelihood of doing themselves an injustice. The radical group is somewhat better balanced, but still higher than the conservative, and therefore resembling the reactionary in over-self-evaluation. We may perhaps suppose that the very modest conservative element has full insight, with perhaps an exaggerated sense of inferiority for recognized defects; while the atypical element, particularly the reactionaries, repress their feelings of inferiority and assume a compensatory and over-correctional attitude of self-assurance. Further data are, however, required to substantiate this hypothesis.

The reactionary, as shown in figure 15, has the least objection

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to being tested by psychological methods. The radical group is much more sensitive on this score, and shows the greatest reluctance; while the conservative group is intermediate.

Adjustment to the conventional moral code, plotted in figure 16, helps to confirm our suspicion that, in spite of certain differences, there is a similar foundation beneath the motives of reactionary and radical. It will be seen that both lie on the same side of the conservative in a smaller percentage who accept without difficulty the prevailing moral standards (*b*), and likewise in a greater percentage who consider themselves not bound by this code, but substitute their own notions of right and wrong (*d*).

There remain a few facts from the results of the group testing which are not shown in the charts. Owing to the tentative nature of the measurements of personality and interpretation available these findings are not presented in quantitative form, but are intended merely as suggestions. We may first mention those which differentiate the two atypical groups from each other. Failures to check estimates of certain traits may be regarded as due either to resistance against self-analysis or to lack of insight, that is to say, lack of the necessary knowledge of self. It is of interest that, taking the salient questions on personality as a whole, there was found to be a distinctly higher percentage of reactionaries who failed to give a rating of themselves than of either of the other groups. The scores made upon the study of attitudes show that the reactionary group tend to be scientifically minded, snobbish, and somewhat cynical. The radical group, on the other hand, are idealists rather than mechanists. They are inclined, as we have seen, to be religious. They stand low in the score on scientific attitude, and high in moralistic, meliorative, and optimistic outlook upon life. The feminine qualities, conspicuous in sex differences, probably contribute to this characterization. Radical and reactionary have in common the following features. A higher percentage of both radical and reactionary groups failed to answer the question as to what they thought of the physical relation of the sexes than did the conservative. In many cases the question was marked as "too personal." One question was concerned with whether

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the subject believed he had the normal ability for making love, or whether he doubted his capacity. Among both reactionary and radical groups there was a higher ratio of the former to the latter than among the conservatives. The reactionaries especially, in the ratio of two to one, asserted their qualifications for the gentle art. The results suggest, but do not prove, the presence of an over-correction factor. Among the radicals 20 per cent failed to answer this question, 12 per cent considering it too personal. How far sex differences play a part in these results has not been ascertained. The cases studied by personal interview suggest that mental conflicts may provide the unrecognized forces behind atypical opinion at both reactionary and radical extremes. Finally, radical and reactionary agree in having a greater tendency than the conservative to differ from what they conceive to be the political views of their parents.

IV. SUMMARY: THE PROBABLE MEANING OF ATYPICALITY

To return now to the problem stated at the opening of this paper, we may inquire, what are the psychological characteristics of individuals which lead them to adopt extreme social and political views. Our procedure has been, first, to measure and describe the distribution of opinion within a group; and secondly, to submit to psychological analysis individuals representing various regions of the logical scale and various degrees of typicality in the frequency of their views. The words reactionary, conservative, and radical have been used only to denote these positions upon the scale, and have not presupposed the existence of types bearing these names. This procedure has been justified by the results, for it seems that both the reactionary and radical, far from being considered as diametric opponents, are better understood by placing them in one group, which we may call the "atypical." That is, while there are characteristic differences between the two, there are fully as striking resemblances.

It must, of course, be remembered that our group was not sufficiently heterogeneous. The radicals may have been radical-sympathizers merely, and the reactionaries were few and overbalanced on the male side. The following conclusions, therefore,

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even though stated in general terms, must be taken to refer only to this group, and to serve as suggestions for further investigation.

The kindred nature of the reactionary and radical elements of our opinion curves is evidenced by the following facts. They lie upon the same side, rather than a-straddle, of the conservative group in self-rating on emotionality, rapidity, and self-reliance, in over-estimation of mental ability, possible over-estimation of capacity for making love, failure to react when asked whether they approved of or were averse to the sexual relation, lack of agreement with the conventional moral code, tendency to deviate from the views of their parents, and certainty and intensity of conviction upon a political issue. Additional agreement was found in the attitude study, not reported here in detail, in which radicals checked a number of reactionary items, and reactionaries checked a portion of the radical statements. The profiles show that they share one another's attitudes on diverse questions more fully than the conservative shares the attitudes of either. The atypical individual, in other words, may be reactionary or ultra-conservative in some things and radical in others. In the interviews certain recognized motivations of personality were seen to lead in some cases to the reactionary view, and in some to the radical, according to chance influences and the conditioning of these tendencies in the social environment.

Such apparent contradictions are familiar to most of us. Saul, the violent reactionary, was changed by conversion to Paul, the apostle of a radical gospel. The Ku Klux Klan, violently reactionary in principle, is violently radical in method. Wealthy and aristocratic persons, ultra-conservative by tradition, often become the champions of an agitation against the existing order. An ex-college president of note would radically alter and democratize our present educational system; yet in so doing he would go back for his models to the Athens of Pericles and the cloistered refinement of Epictetus.

It would be unfair, however, to leave unnoticed the differences between individuals likely to take the reactionary view and those prone to radical opinion. The study of mental conflict has taught us to expect irreconcilable differences within the same

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person. The reactionary believers of our group are mainly 'tough-minded,' and mechanistic. They exceed the radicals in ratings of self-reliance and self-sufficiency, in certainty as shown in the opinion curves, and in lack of insight into their abilities and traits. Their opinions seem to be more decided, and their attitudes more pronounced. They remind us perhaps of the dogmatism of the Fundamentalist, of the 100 per cent American, and of some boards of censorship.

The radicals of our group seem more retiring in nature. They are tender-minded, religious, more aware of their inner motives and conflicts, less self-assertive, more 'touchy' in personal matters, more moralistic and meliorative, and more sensitive to the opinions of others.

These differences remind us forcibly of a human contrast widely recognized by psychopathologists. Psychoanalysts divide their patients into *extroverts* and *introverts*. Although we have avoided type classifications, we may perhaps recognize in our reactionaries certain traits which coincide with those described for the extrovert; and in our radical we may discover the characteristics of the analysts' introvert. If extroversion and introversion are simply different ways in which people resolve their mental conflicts, does it follow that the common basis we have found for reactionary and radical is really the existence of conflicts underlying the thinking of each? It is the purpose of the present paper to raise this question—but not to answer it.

The opinion scales employed in this study are reproduced below.

1. The League of Nations Question

Place a cross (x) on the dotted line before the *one item* which most nearly expresses your own opinion.

..... We should uphold the Monroe Doctrine and our traditional policy of isolation from all foreign entanglements. We should stay out of the League of Nations.

..... The Monroe Doctrine should be upheld for it does not demand isolation, but only that we do not dictate to Europe, nor they to us. We should show friendly cooperation with other nations, but should stay out of the League of any definite organization of powers.

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..... We should uphold the Monroe Doctrine and stay out of the League of Nations, but this should be ratified by a referendum vote of the people.
..... We should enter an Alliance with two or three strong powers to preserve world peace, and participate only in affairs which concern us. Let the small nations squabble among themselves.
..... We should discard the Monroe Doctrine and enter into a conference with other nations, but should not enter the "League of Nations."
..... We should participate in a World Court with commercial boycott and ostracism as a penalty to enforce its decisions.
..... We should participate in the League, but should not assume its full responsibility for preventing aggression of one country upon another.
..... We should join the League with full responsibility to prevent aggression; but should first obtain sanction for this step by a popular referendum vote.
..... Though the League has its defects, they can be adjusted after we enter. The United States should join with full responsibility, for our cooperation is absolutely necessary to the perfecting and the operation of the League. We can be of great service to the world by entering.
..... Opposition to the League is based on party politics. We should join the League with full responsibility. It sounds like a radical step; but there would really be no need of force to prevent aggression, for arbitration and moral compulsion would suffice to settle disputes.
..... The League of Nations is the best possible solution of world problems, and will absolutely prevent future wars. We should join at once with full responsibility.
..... We should not only join the League, but should work toward the ideal of doing away with the sovereignty of separate nations, and of establishing a super-government, or world-State.

2. The Question of the Qualifications of President Coolidge

Place a cross (x) on the dotted line before the *one item* which most nearly expresses your opinion. Mark only one item.

..... Coolidge is perfectly fitted for the office of President of the United States.
..... Coolidge is the best man we could find for the office today.
..... Although Coolidge has been a very good President, he can not be compared with our strongest Presidents.
..... Coolidge is better than the men nominated by the other parties.
..... Coolidge may be the right man, but he has not yet had sufficient chance to prove it.
..... Coolidge is a little too conservative.
..... Mediocre is the word that sums up Coolidge's qualifications for President.
..... Coolidge favors the financial interests too much.
..... Coolidge is controlled by a band of corrupt politicians.
..... A man such as Coolidge is bound to bring with him a corrupt government.

3. The Question of Distribution of Wealth

Place a cross (x) on the dotted line before the *one item* which most nearly expresses your own opinion. Mark only one item.

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..... The wealth of this country is at present distributed fairly and wisely. Wage earners get a perfectly fair deal. The poor are necessarily poor because of low mentality, and lack of ambition and thrift. Intelligence and ability to make money should be rewarded. There should be no government control or ownership of public utilities. Attempts at legislative control of wealth distribution will result in chaos.

..... The present status of wealth distribution is not wholly satisfactory, but none of the proposed methods will remedy it. Government ownership or control is unwise both because of individual differences of ability and the corruption which would result. Opportunity, rather than wealth, should be equally distributed.

..... We should devise a plan to get at more of the taxable wealth of the rich. The poorer classes should be favored, though not relieved of all taxation. The income tax is satisfactory; the inheritance tax should be heavier. The government should limit the profits to capitalists who own the railroads, and should own and operate some public utilities but not all.

..... Monopolies and holders of franchises are robbing the people. Taxes on both incomes and inherited fortunes should be *more than proportionally* heavy for the rich. The government should gradually come to own and control all public utilities. We should approach equality of remuneration for all kinds of services.

..... Concentrated wealth gives great power which should belong to the government alone. The amassing of fortunes beyond a certain limit should be *prohibited by law*, and the money returned to the people. There should be very heavy income and inheritance taxes, rapidly approaching 100 per cent for the greater fortunes. The government should own and operate all public utilities and natural resources. The poor should be almost entirely relieved of taxation. Wealth should be equally distributed.

4. The Question of Legislative Control Over the Supreme Court

Place a cross (x) on the dotted line before the *one item* which most nearly expresses your opinion. Mark only one item.

..... It is proposed that Congress be given the power to set aside decisions of the Supreme Court as to the constitutionality of laws passed by Congress.

..... This proposal is a menace to the very foundations of our government.

..... The proposal is one of those socialistic dreams which would absolutely never work.

..... Even though in some cases the Supreme Court has been wrong, none of its power should be given over to Congress.

..... This plan, if put into effect, would result in much hasty and unwise legislation on the part of Congress.

..... The proposal is nothing more than a vote getter directed at the unintelligent voter.

..... Affairs will remain about the same whether or not such a plan is put into effect.

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..... If the Supreme Court continues to grow more conservative, some such plan will be necessary.
..... A two-thirds decision on the part of the Supreme Court should be necessary in order to declare a law passed by Congress unconstitutional.
..... The Supreme Court should be so changed as to make it more representative of the will of the people.
..... The plan proposed should be adopted since it does not take all power away from the Supreme Court, but only that part over which Congress, as direct representative of the people, should have control.
..... Congress should be able to over-rule any decision of the Supreme Court.

5. The Prohibition Question

Place a cross (x) on the dotted line before the *one item* which most nearly expresses your opinion. Mark only one item.

..... The present constitutional amendment prohibiting alcoholic liquors and the law interpreting this amendment are both satisfactory: enforcement should be made more severe.
..... The present amendment and interpretation are satisfactory, but a *more uniform* enforcement is necessary.
..... The laws at present are not wholly successful, but they should be upheld since they will be successful after a generation of education and enforcement.
..... The laws are on the whole acceptable, but minor changes will be found necessary from time to time.
..... Prohibition is correct in principle and although it cannot be completely enforced, should nevertheless be retained.
..... Though prohibition is good in principle, it cannot be enforced, and therefore is actually doing more harm than good.
..... It should be left to the separate states to decide whether they wish to permit the open saloon.
..... The making of wine and beer in the home for strictly private use should be permitted.
..... Stores, under government control, for the sale of wines and beer not to be consumed on the premises, should be permitted.
..... It should be left to counties, townships, or cities whether they wish to permit the open saloon.
..... The sale of light wines and beers should be permitted in licensed cafes and restaurants.
..... Stores, under government control, for the sale of moderate quantities of any alcoholic liquors should be permitted.
..... The open saloon system should be universally permitted.

6. The Ku Klux Klan Question

Place a cross (x) on the dotted line before the *one item* which most nearly expresses your opinion. Mark only one item.

..... The Klan is wrong in principles and methods and should be denounced by political parties; steps to suppress it should be taken by the government.

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..... If the Klan grows stronger, steps should be taken against it.
..... The Klan is a farce.
..... The Klan because of its methods does not deserve the support of the true American.
..... The Klan may be un-American in some respects, but it is not as bad as it has been painted.
..... The Klan is right in its principles; but in general its methods in the past have been unwise.
..... The Klan is as sincere in its purpose and has as much right to exist as the Masons or the K. of C.'s; but should be restrained from overstepping its legal rights, as should other organizations.
..... The Klan methods, severe though they are, are necessary in order to combat secret orders which are trying to dominate American public life.
..... The Klan has been misrepresented: it supplies a need in American—law enforcement.
..... The Klan is absolutely correct in principles and methods.

7. The Question of Graft in Politics

Place a cross (x) on the dotted line before the *one item* which most nearly expresses your own opinion. Mark only one item.

..... The recent exposures in the "Oil scandal" and similar cases show that the moral fiber of our government is rotten to the core. It is due also to the ignorance and low moral condition of the people. Practically all officials are corrupt. Those put out of power were only those who were caught.
..... The recent political scandals show widespread but not complete corruption. Political parties are often run by corrupt men. The system of government is also at fault. We must prevent a recurrence, otherwise the people will lose faith in the government.
..... The scandals indicate a limited amount of corruption, and bring out certain weak points in our system of government; but they are not of major consequence and do not wholly discredit either our parties or our government. Investigation is of course warranted.
..... We will always have a certain amount of graft in politics owing to *human nature*. We do not need to be especially apprehensive since the evil was limited to a small number of malefactors who are now out of power.
..... The whole affair was of trivial consequence. It was greatly exaggerated by newspaper publicity and by being made capital for political campaign speeches. It should be speedily forgotten.

The following scale of certainty and intensity of conviction was given accompanying each opinion scale:

Place a check above the item which applies to your answer:

A.....

Extremely uncertain; little more than a guess	Rather uncertain	Moderately certain	Fairly firm belief	Extremely certain conviction

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Place a check above the item which applies to your answer:

B.....

I have practically no personal interest or feeling on this issue: my opinion is given indifferently.	My opinion is given with only moderate personal interest in the issue.	I feel *very* strongly upon this subject. I am intensely interested in seeing the policy I have marked be put into effect.

FIG. 1 LEAGUE OF NATIONS

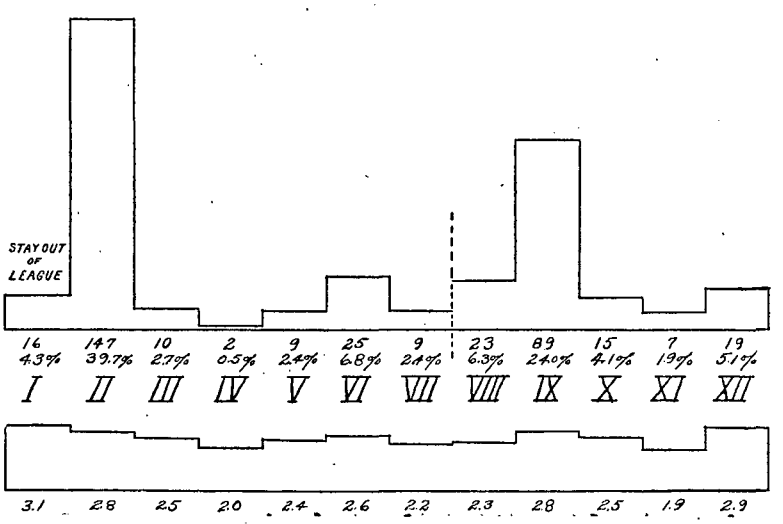

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FIG. 2 QUALIFICATIONS OF COOLIDGE

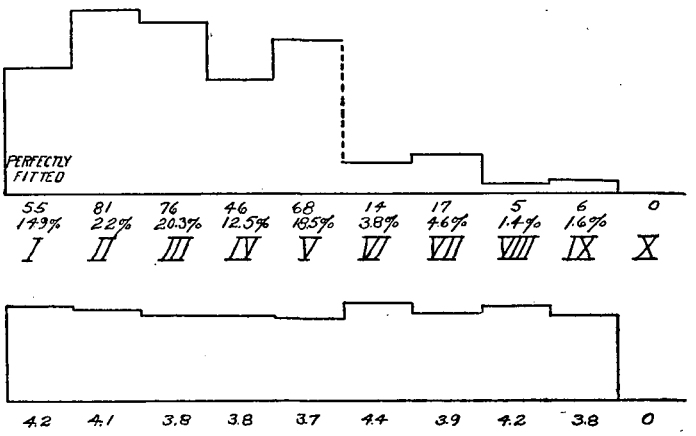

FIG. 3 LEGISLATIVE CONTROL OVER SUPREME COURT

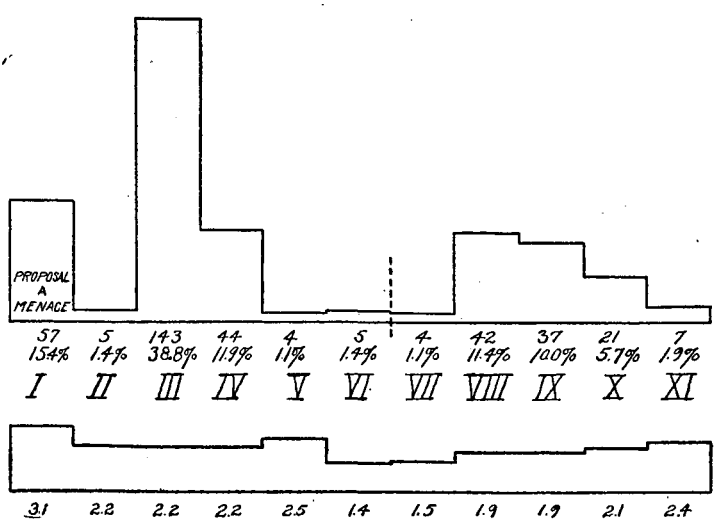

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FIG 4

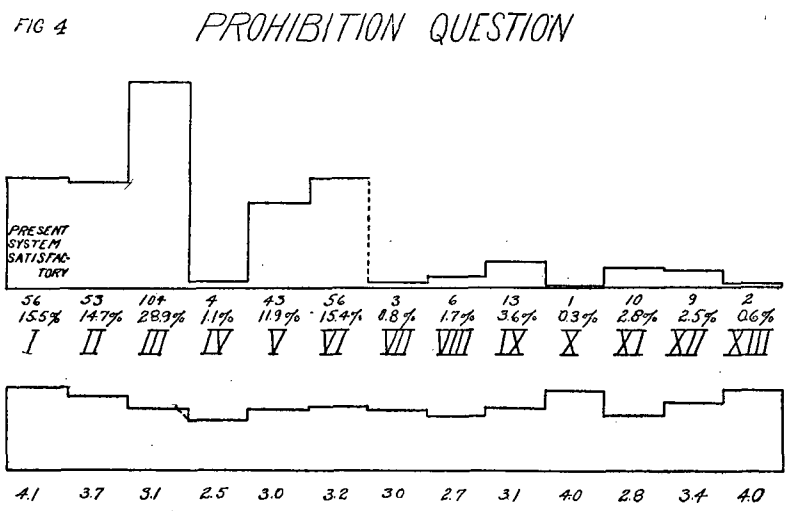
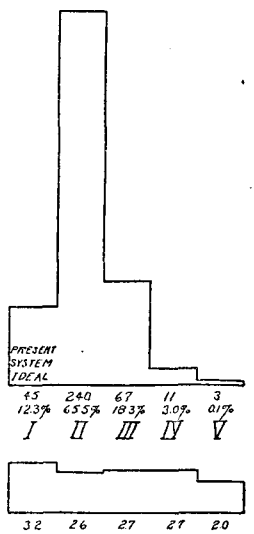


FIG. 5



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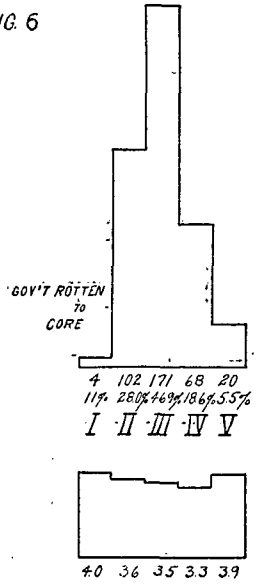
GRAFT IN POLITICS

FIG. 6



KU KLUX KLAN

FIG. 7

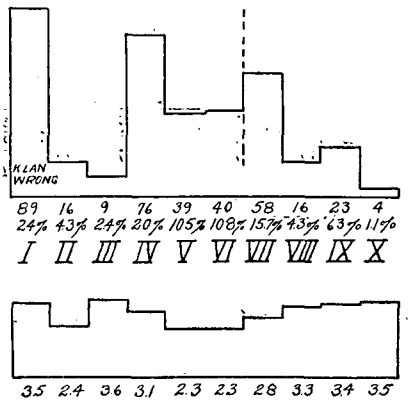
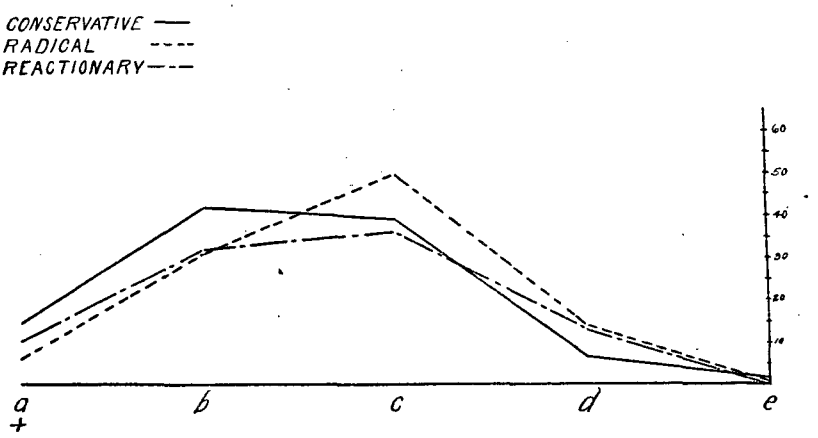


FIG. 8

EMOTIONALITY



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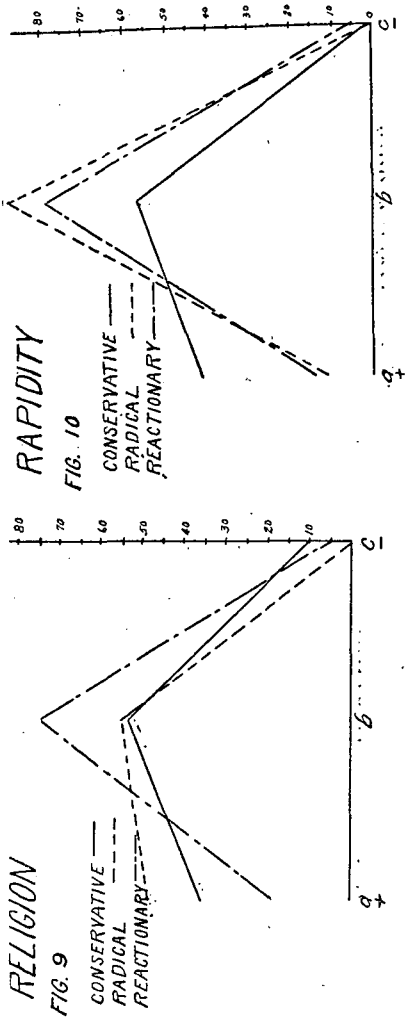

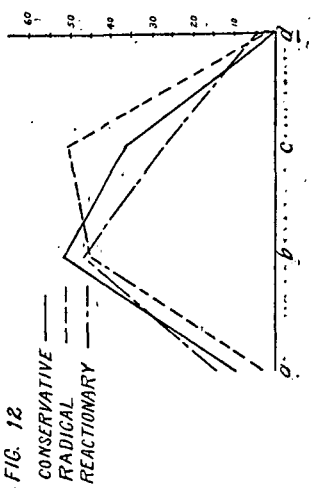

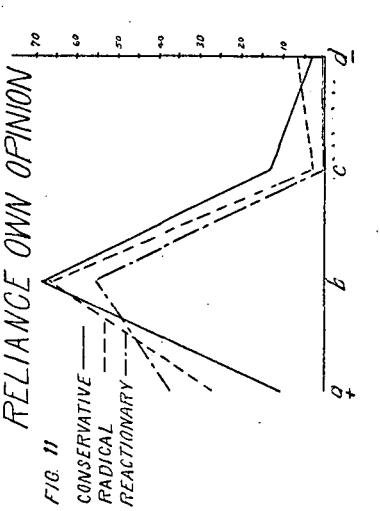

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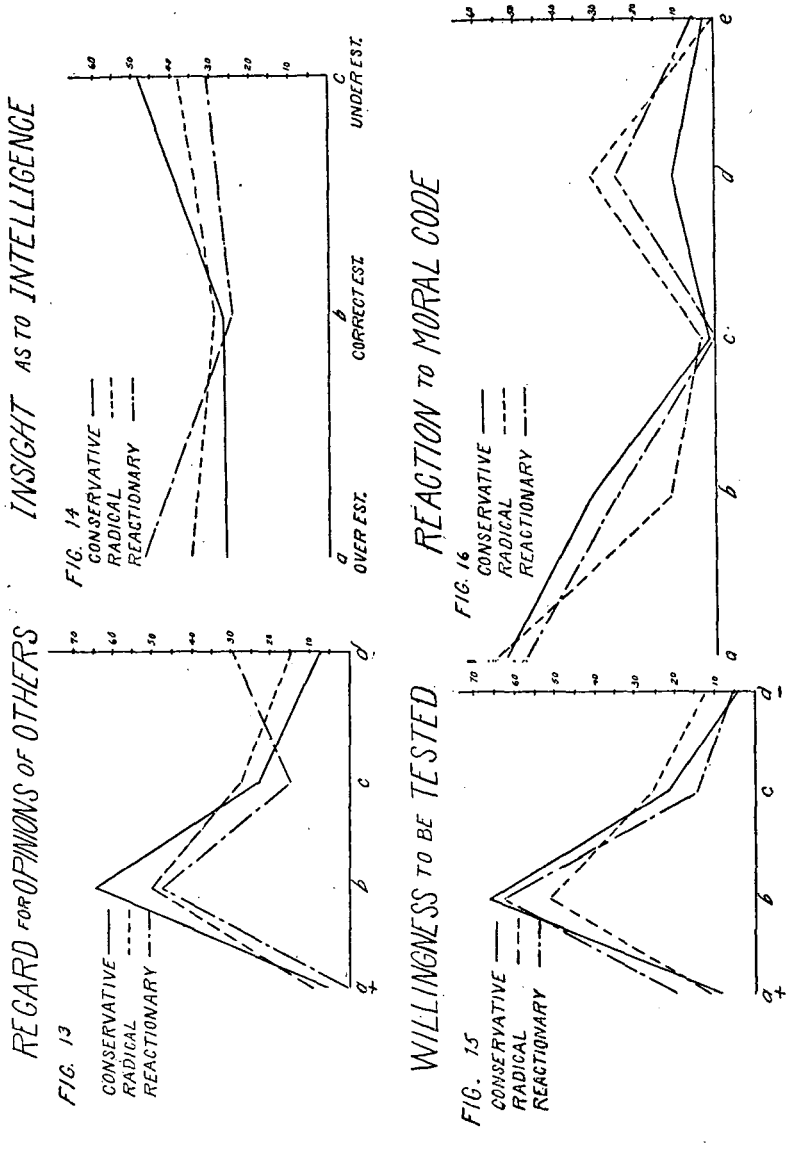

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AMERICAN GOVERNMENT AND POLITICS

FIRST AND SECOND SESSIONS OF THE SIXTY-EIGHTH CONGRESS

December 3, 1923 to June 7, 1924; December 1, 1924 to March 4, 1925[1]

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The Sixty-eighth Congress had only two sessions. Not since the Sixty-fourth Congress (1915–17) had members enjoyed such lengthy vacations, for, of the Congresses since 1900, seven have had special sessions. This now seems to be the rule rather than the exception, so numerous and technical are the problems that confront the national legislature.

The President and Congress. Four months before the Congress met, Mr. Harding died and Mr. Coolidge succeeded to the Presidency. The first session ran its course under the shadow of the approaching Presidential election. It was almost at once obvious that Mr. Coolidge would be the Republican nominee and that the campaign would be in large measure based on his personal character and achievements, for he, the argument went, was in no wise responsible for the scandals of the Harding administration.

The Congress, however, was one in which the Republicans had only nominal majorities. Fifty-one Senators were Republicans, but among them were LaFollette, Norris, Ladd, Brookhart, and Frazier, and these with the two Farmer-Laborites could give the opposition fifty to forty-six Republican votes. In the House of Representatives, the balance was as follows: Republicans, 225; Democrats, 205; Farmer-Labor, 2 and Socialist, 1, but there was a group of Progressive insurgents which numbered seventeen and which could reduce the nominal Republican strength to 208.

These shadow Republican majorities made improbable any effective leadership from the White House; but, during the two sessions, the

[1] For previous notes on the work of Congress, see *American Political Science Review*, vol. 13, p. 251; vol. 14, pp. 74, 659; vol. 15, p. 366; vol. 16, p. 41; vol. 18, p. 79.

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defeats which the President sustained were attributable to a revolt of his own supporters rather than to the strategic position of those who held the balance of power in the House and in the Senate. During the first session, indeed, with Mr. Coolidge certain to be the chief plank in the Republican platform, hardly an opportunity was lost to ignore his recommendations or to defeat him when the issue was joined. The Senate refused to consider American entrance into the World Court in spite of several urgent requests from the Executive. The bonus for ex-soldiers was passed over his veto; the Japanese exclusion clause was put in the Immigration Bill against his protest; the Mellon tax plan was badly mutilated and the publicity feature was inserted in the law in spite of a veiled threat that the Executive would veto it—a threat which was not made good. At the short session, after the election, when Mr. Coolidge had received an unmistakable mandate from the country, the Congress, against the wishes of the President, raised the salaries of its own members; the Senate again refused to consider American entrance into the World Court; and the Executive's agricultural recommendations were almost completely ignored. Even at the special session of the Senate of the Sixty-ninth Congress when the Republicans had a real instead of a paper majority, a cabinet appointment was rejected for the first time in sixty years.[2]

[2] The nomination to the cabinet which was rejected was that of Charles B. Warren as Attorney General. It had been sent to the Senate by President Coolidge on January 10, 1925, but action was postponed because a contest was certain and because the time of the Senate would be fully taken up with legislation. The objections to Mr. Warren were that he had been too closely associated with the Sugar Trust. The name was resubmitted to the Senate at the special session on March 10 and a 40–40 tie vote (Vice-President Dawes enjoying a siesta and being absent inadvertently) prevented the confirmation. Two days later the name was resubmitted and after an acrimonious debate was rejected by a vote of 46–39. Although the President positively said that he would offer Mr. Warren a recess appointment, he gave way quickly and submitted the name of John G. Sargent as Attorney General. It was the most stinging rebuke that any President had received in many years. The six previous cases of Senate refusal to confirm nominations to the cabinet were following:

Roger B. Taney, subsequently Chief Justice of the United States, was rejected in 1834 as Secretary of the Treasury under Jackson; Caleb Cushing, nominated by President Tyler to be Secretary of the Treasury, was rejected in 1843, but twelve years later became Attorney General; James M. Porter of Pennsylvania, nominated by President Tyler to be Secretary of War, was rejected in 1843, and another Pennsylvanian, William Wilkins, was named; David Henshaw of Massachusetts, nominated by President Tyler to be Secretary of the Navy, also received an unfavorable vote; Henry Stanberry was rejected when named by President Johnson in 1866 to be Attorney General.

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These setbacks, however, affected slightly if at all the hold that Mr. Coolidge has upon the country. There are probably a number of reasons for this, but not the least influential are the almost solid support that he receives from the business and financial interests of the nation and the fact that he has enjoyed more space in and suffered less criticism from the newspapers than any of his predecessors in office.[3]

The Organization of Congress. The Congress met on December 3 but a Speaker was not elected until December 5. The delay was caused by an insurgent movement against readopting the rules of the Sixty-seventh Congress. It was finally agreed that if the insurgents would permit the organization of the House, the rules of the Sixty-seventh Congress would be adopted for thirty legislative days only and that, on January 14, the House would be given the opportunity of a free consideration of possible amendments. Mr. Gillett was thereupon elected Speaker.[4]

There was a fight in the Senate over whether Senator Cummins, the President pro tempore should also be chairman of the committee on

[3] At the first session the President vetoed three bills; the Bonus Bill (repassed over his veto); the Bursum Pension Bill (veto sustained in the Senate); and the Edge Bill for the increase of the salaries of postal employees. This was disapproved because it did not raise the necessary revenue and consideration of the President's action was postponed until the short session when the measure, amended to include an increase in postal rates, became law. This amendment was inserted in the Senate, and the House on February 3, 1925 returned the bill on the ground that the Senate had violated the House prerogative of originating bills to raise revenue.

On January 29th the Senate (71–3) adopted as a rider to the postal pay increase bill an amendment offered by Senator Walsh of Massachusetts setting up a Federal Corrupt Practices Act. In the House the bill was passed under suspension of rules (*see below*).

There were no presidential vetoes during the short session of the Congress.

[4] On February 27, 1925, Representative Nicholas Longworth of Ohio was nominated for Speaker by the Republican caucus of the House and will be elected by the Sixty-ninth Congress. In February and in March the regular Republican organization of the Senate and the House decided on committee assignments which would ignore the insurgents in both bodies and give them only minority places on the various committees. Senators Ladd and LaFollette were deprived of chairmanships and LaFollette was dropped to the bottom of the powerful Finance Committee. Senator George H. Moses for New Hampshire was elected President pro tempore vice Senator Cummins of Iowa who retired. The committee assignments were made after an increase by one in the membership of the more important standing committees in order to give each senator two major committee memberships.

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interstate commerce. All other committee assignments were agreed to on December 10 but the interstate commerce chairmanship was not settled until January 9 when the Democrats and the Progressive Republicans elected as chairman, the ranking minority leader of the committee, Senator Ellison D. Smith of South Carolina.

A number of proposals to change the rules came before the House on January 14, 1924. Three important changes were made. The House may now discharge a committee from consideration of a bill by a majority vote on a motion signed by one hundred and fifty members. Reports from the committee on rules may in the future be called up after nine days by any member designated by the committee and their consideration is no longer dependent upon a favorable attitude by the chairman. The third change was the elimination of clause 3 of rule xxi of the House which provides, "No amendment shall be in order to any bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment to any item of such a bill be in order which does not directly relate to the item to which the amendment is proposed."[5]

Special Orders. During the Congress the House made some use of special orders from the committee on rules for the consideration of legislation. These special orders may be reported by the rules committee at any time; they usually limit both amendments and debate and they make it certain that the House will take action at a time and in a way determined upon by the leaders. The use of special orders is on the increase. In the first session of the Sixty-first Congress only four measures were brought before the House by the committee on rules under special rather than general procedure. In the Sixty-third Congress there were only six special orders; but by the Sixty-seventh Congress much of the important business was regulated by the rules committee with the opportunity for debate and amendment seriously curtailed.[6]

At the second session of the Sixty-eighth Congress the committee on rules reported eight special orders on the following matters: H. R. 745, a bill to establish migratory bird refuges; H. R. 7190, an amendment of the China Trade Act, 1922 (Public No 484); H. R. 11282, increasing

[5] For a detailed consideration of the reasons for and the effects of these changes in the rules see *Political Science Quarterly*, Supplement, Record of Political Events, March, 1925, pp. 66–70.

[6] For the matters on which special orders were reported in the Sixty-seventh Congress and the first session of the Sixty-eighth Congress, see *ibid.*, pp. 69–70.

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the limits of costs of certain naval vessels (Public No. 399); H.R. 11472, authorizing public works on rivers and harbors (Public No. 585); H.R. 11957, authorizing the modification of visé fees (Public No. 464); H.R. 12348, creating the Federal Coöperative Marketing Board. There were also special orders on S. 2287, permitting the New York Port Authority to acquire the Hoboken Manufacturers' Railway (Public No. 479); and on H. J., Res. 68, amending the amending clause of the federal Constitution (Garrett-Wadsworth Amendment); but the special order was not voted on and the resolution did not go before the House.

The committee on rules reported a resolution (H. Res. 433) making it in order to suspend the rules on February 10, 1925 under the provisions of Rule xxvii. Mr. Snell, chairman of the rules committee, said that there was nothing unusual about the proposition. In the Sixty-sixth Congress, the soldiers' bonus and the good roads bill had been passed under the suspension of rules; in the Sixty-seventh Congress the bonus was again passed under suspension;[7] in the Sixty-eighth Congress the public buildings bill and the veterans' reorganization and hospitalization measures had been so enacted.

In respect of postal employees, on September 19, 1919, their pay had been increased under suspension; on June 3, 1922, another increase in pay and a general reclassification of the service had been agreed to under a suspension of rules; the bill then pending (it had been vetoed by President Coolidge) had been passed with the rules suspended at the first session of the Sixty-eighth Congress. Of course the point was that if the rules were suspended the House was forced to vote for the increase of postal rates at the same time that it was voting for an increase in salaries. The bill could not be amended and members who opposed an increase of rates had to accept it in order to approve of larger salaries.

The House passed the resolution by a vote of 245–97. Not a sufficient number of members demanded a record vote. The postal bill was also passed without a record vote and then the House, suspending the rules, proceeded to pass the agricultural credits bill (H.R. 12000), the deportation of aliens bill (H.R. 11796); and a measure (H.R. 151) providing for increased appropriations for federal experiment stations in each state of the Union. This had been recommended by the President's agricultural commission. In no case was there a record vote.

[7] See *American Political Science Review*, vol. 15, p. 80.

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The Legislative Record. *First Session.* The Congress was notable for the number of investigations that it made into the work of the executive departments. The chief inquiries concerned the department of justice, the naval oil leases, and the veterans bureau. The most important legislation was the Tax Revision Law which was based on the Mellon proposals. These, however, were considerably changed. Smaller reductions in the upper brackets and larger reductions in the lower brackets were made than were originally proposed. Other laws were the Rogers Act reorganizing the foreign service; the Immigration Act fixing the quota at two per cent of the number of foreign-born persons in the United States as determined by the 1890 (instead of the 1910) census. A joint resolution submitting to the states a constitutional amendment giving Congress authority to limit, regulate and prohibit the labor of persons under eighteen years of age passed the House on April 26, 1924 and the Senate on June 2.[8]

The Second Session. During the short session several important measures became law: a bill amending the revenue act of 1924 in respect of waivers of limitation in refunds; a bill providing for the refunding of the debts of Lithuania and Poland; a bill amending the patents and trade-marks act; a bill for the conservation and production of helium gas; a bill to amend the China Trade Act of 1922; a bill amending the tariff act of 1922 in respect of the Customs Service; a bill making various amendments to the Farm Loan Act and Agricultural Securities Act of 1923, in accordance with the recommendations of the Agricultural Commission; several bills relating to the judiciary; a bill amending various provisions of the law affecting the National Guard. More than 1,500 private pension laws were included in several omnibus measures.

According to figures presented to the House by Mr. Longworth, the majority leader, during the session of 73 working days, Congress enacted 342 public laws, 38 public resolutions, and 223 private laws and resolutions—a total of 603 laws and resolutions, or an average of at least eight a day. In addition 69 House resolutions were agreed to. "That" said Mr. Longworth "is a record of which we can be justly proud, and is a fulfillment of the pledge of our party for business-like attention to the needs of our country." Mr. Longworth said that

[8] For further details on the first session of the Sixty-eighth Congress, see *Political Science Quarterly*, Supplement, Record of Political Events, March, 1925.

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during the Congress a total of 996 laws had been enacted—a record that "so far as I know, has never been equalled, not even during the 67th Congress when there were four sessions and when the total number of laws was only 931. In that Congress there were 414 actual days in the session as compared to 215 days in the 68th Congress. During the first session of this Congress we acted upon 594 bills out of a total of 929 reported, and during the second session upon 659 bills, which is 91 more than were reported during that session, making a total of 1,253 bills acted upon during the 68th Congress out of 1,497 reported."[9] During the session there were introduced in the House 3,672 public and private bills, 90 public and private resolutions, 19 concurrent resolutions, and 110 simple resolutions. The Senate considered: 917 public and private bills, 47 public and private joint resolutions, 16 concurrent resolutions, and 101 simple resolutions. Combined figures for the two sessions of the 68th Congress give a total of 18,370 measures introduced in both Houses. There were 1,410 measures enacted or agreed to, including public and private bills, and simple and concurrent resolutions. Nine omnibus pension bills were passed, which combined 1,989 pension laws of the 3,328 which had been introduced during the Congress.[10]

During the second session fourteen appropriation bills became law. Eleven were annual: treasury, postoffice, agriculture, navy and war departments, state and justice, commerce and labor, interior, executive office and independent bureaus, District of Columbia, legislative branch. There were a second deficiency measure for 1924, two deficiency appropriation bills for 1925, and two special bills adjusting compensation of certain field service employees, and authorizing the payment of salaries of officers and employees of Congress on the 20th of December.

Four measures were passed to aid agriculture, but none was of great importance. More than eighty bridge bills were enacted, and the District of Columbia required twenty-eight measures. Indian affairs and lands required 29 laws. Amendments of the Judicial Code, changes of terms of court, the fees to be charged by clerks, and additional district judges were the subjects of 24 statutes. Minor matters in connection with military and naval affairs and military property resulted in 28 additions to the statute book. Congress gave its approval to projects for

[9] *Congressional Record*, March 16, 1925, p. 5720.

[10] These figures are in part taken from the *Congressional Digest*, March, 1925, page 201.

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fifteen monuments and memorials; it authorized the conveyance of government-owned approaches to national cemeteries to the various states, and amended the act incorporating the National Society of the Sons of the American Revolution. Seventeen bills were passed relating to the national forests; twenty-one to the public lands; five to rivers and harbors; twelve to the territories and insular possessions of the United States; eight to public buildings; three to railroads. Five laws were necessary for the veterans of the War; four laws were passed for the relief of cyclone sufferers in Mississippi and Georgia, sufferers from fire in North Carolina and sufferers from the earthquake in Japan. The postal service required eight statutes; prohibition enforcement one (for the disposal of vehicles and vessels forfeited for the violation of prohibition and customs laws); irrigation and reclamation four; participation in international conferences two; foreign debts three (authorizing the settlement of the Lithuanian and Polish debts and extending the term of the World War Foreign Debt Commission); homestead rights five; flood control two; foreign relations and service four; banks and banking two.

At the short session of the Sixty-eighth Congress there was great expedition with the appropriation bills. The committee on appropriations had been at work for some days prior to the beginning of the session, so that on December 2, the day after the session opened, the interior department appropriation bill was reported to the House. It was followed shortly by the naval and agricultural bills, and by December 20 the House had passed these three measures. It also passed the deficiency bill which had come over from the previous session. By the middle of February all nine regular appropriation bills had passed the House and five had been returned from the Senate and signed by the President. This was much speedier action than is usually the case in the short session of Congress.[11]

The Budget. The total appropriations made during the session amounted to $3,936,921,277.76. If from this amount is deducted the sum payable from postal revenues ($636,000,000) and the amount payable from the revenues of the District of Columbia ($27,000,000)

[11] For the dates in previous sessions see *American Political Science Review*, Volume 13, p. 260, etc.

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the net charge upon the Treasury was $3,037,000,000.[12] The total amount appropriated for the Congress was $7,898,764,305.02. At the short session the Senate was quite modest in the additions that it made to the totals on the bills, as they came from the House. To the nine regular appropriation bills, the Senate added an aggregate of only $4,401,716.67. It receded in conference on $372,260.67 of this amount, leaving a net addition to the House appropriations of $4,029,456. Mr. Madden, chairman of the house committee on appropriations, told the House that "this is the smallest net amount added by the Senate to the regular appropriation bills in forty years. Contrasted with the former practice of that body in adding at times hundreds of millions of dollars, the record for this session is most commendable."[13]

The appropriation bills as they were finally approved showed a reduction on the budget estimates of $11,125,847.08. In his remarks to the House on appropriations, Mr. Madden pointed out that the

[12] Comparison of Budget Estimates and Appropriations, Sixty-eighth Congress, Second Session. Arranged by Appropriation Acts.

ACT	BUDGET ESTIMATES, 68TH CONGRESS, 2D SESSION	APPROPRIATIONS, 68TH CONGRESS, 2D SESSION	INCREASE ( ) OR DECREASE (—) APPROPRIATIONS COMPARED WITH BUDGET ESTIMATES
Regular Acts, Fiscal Year, 1926:			
Agriculture	$127,752,000.00	$124,774,441.00	—$2,977,559.00
District of Columbia	30,788,891.00	31,827,797.00	1,038,906.00
Executive Office and Independent offices	450,364,295.00	452,434,334.00	2,070,039.00
Interior	240,204,138.67	239,702,926.00	—501,212.67
Legislative, etc	15,113,764.60	14,910,971.80	—202,792.80
Navy	287,323,928.00	287,402,328.00	78,400.00
State, Justice, Commerce and Labor	71,966,108.77	71,737,293.77	—228,815.00
Treasury and Post Office	775,135,921.00	763,221,362.00	—11,914,559.00
War	331,401,930.00	332,282,671.00	880,741.00
Total regular acts	$2,330,050,977.04	$2,318,294,124.57	—$11,756,852.47
Deficiency Acts:			
1st Deficiency Act, Fiscal year 1925	$159,455,338.19	$159,504,838.19	$49,500.00
2d Deficiency Act, Fiscal year 1925	58,483,501.37	58,065,006.76	—418,494.61
Total, Deficiency Acts	$217,938,839.56	$217,569,844.95	—$368,994.61
Miscellaneous Acts		1,000,000.00	$1,000,000.00
Total, regular, deficiency and miscellaneous acts	$2,547,989,816.60	2,536,863,969.52	—11,125,847.08
Permanent appropriations	1,400,057,308.24	1,400,057,308.24	
Grand total	$3,948,047,124.84	$3,936,921,277.76	—$11,125,847.08

[13] *Congressional Record*, March 16, 1925, p. 5722.

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budget system had been in effect for four years; that four sets of estimates had been transmitted to Congress by the President since the passage of the act and that each year Congress had appropriated a total that was less than the total amount requested by the President.[14]

Amounts carried in Annual Appropriation Bills for 1926
Compared with those for 1925

	1925	1926
Department of State	$16,238,756.29	$16,011,512.77
Department of Justice	22,680,956.50	24,205,822.00
Department of Commerce	25,844,565.00	22,917,334.00
Department of Labor	8,651,346.47	8,602,625.00
Treasury Department	137,644,712.50	126,951,947.00
Post Office Department	613,645,195.25	636,269,415.00
Department of Agriculture	65,714,436.00	124,774,441.00
Department of the Interior	268,959,114.80	239,702,926.00
Navy Department	278,175,460.87	287,402,328.00
War Department	337,683,273.67	332,282,671.00
Executive and Independent Offices	533,424,147.46	452,434,334.00
Legislative	14,229,016.00	31,847,797.00
District of Columbia	29,172,153.21	31,847,797.00
	$2,352,063,124.02	$2,318,294,124.57
Permanent and independent appropriations (Estimated):		
Interest on public debt	$865,000,000.00	$830,000,000.00
Public debt retirements	471,806,401.00	282,766,130.00
Other	82,802,763.85	85,291,178.24
Total, permanent and indefinite appropriations	$1,419,609,164.85	$1,400,057,308.24
Total of annual appropriation acts including estimated, permanent and indefinite	$3,771,672,288.87	$3,718,351,432.81

[14] First year: Budget estimates consisting of estimates submitted in the first Budget, fiscal year 1923, and of supplemental and deficiency estimates submitted during the period from July 12, 1921, to June 30, 1922, for the fiscal year 1922 and prior fiscal years, were reduced by $312,361,792.27

Second year: Budget estimates consisting of estimates submitted in the second Budget, fiscal year 1924, and supplemental and deficiency estimates sub-

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Investigations. Eleven congressional committees were authorized to sit during the recess and investigate various matters. Joint congressional committees are to inquire into the land grants of the Northern Pacific Railroad Company and a permanent schedule of postal rates. The Senate committee on public lands will continue to investigate and report on oil lands in the naval reserves; a select committee of the Senate will continue to inquire into the bureau of internal revenue; a committee on irrigation and reclamation will investigate proposed legislation relating to the Colorado River Basin. The Senate committee on public lands will investigate all matters relating to national forests and the public domain; a select committee on the nine-foot channel from the great Lakes to the Gulf is continued in existence. A subcommittee of the House judiciary committee is to investigate the official conduct of the district judge for the Eastern District of Illinois, and there are three contested election cases to be inquired into during the recess. In addition, the President was authorized by law to create a Muscle Shoals Commission to secure information concerning the most favorable plan for the leasing of the Muscle Shoals property.[15]

Special Session of the Senate. A special session of the Senate called to confirm the President's appointments lasted from March 4 until March 18, 1925. There was some discussion of Vice-President Dawes' inaugural address which had called for an amendment of the Senate's rules to permit cloture and to prevent filibusters. Severe

mitted during the period from July 9, 1922, to March 4, 1923, for the fiscal year 1923 and prior fiscal years, were reduced by	10,741,504.15
Third year: Budget estimates consisting of estimates submitted in the third Budget, fiscal year 1925, and supplemental and deficiency estimates submitted during the period from December 3, 1923, to July 7, 1924, for the fiscal year 1924 and prior fiscal years, were reduced by	12,111,246.92
Fourth year: Budget estimates consisting of estimates submitted in the fourth Budget, fiscal year 1926, and supplemental and deficiency estimates submitted during the period from December 1, 1924, to March 4, 1925, for the fiscal year 1925, and prior fiscal years, were reduced by	11,125,847.08
Total reduction effected by Congress in the estimates covering the four budget years	346,340,390.42

[15] The Muscle Shoals Bill failed. It was returned to the conference committee by the Senate because new matter had been inserted. For a full discussion of this important point in the Senate's rules, see *Congressional Record*, February 19, 1925, p. 4270 ff.

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criticism was expressed in regard to the vice-presidential intervention, and the swing around the circle which Mr. Dawes has since made seems to have solidified the opposition to, rather than to have created any approval of, the proposed change.

During the special session the Senate ratified three treaties.[16] Two were with Canada—the "Lake in the Woods" Treaty and the Canadian Boundary Line Treaty. On March 10, the Senate began to consider the Isle of Pines Treaty with Cuba which formally transfers title to the island to Cuba. This treaty which has been pending for twenty years was ratified on March 13 after a small filibuster against it. The Senate at the special session also had before it the Lausanne Treaty but reached no agreement. On March 13 the Senate entered into a unanimous consent arrangement to postpone consideration of American entrance into the World Court until the Sixty-ninth Congress when, it becomes a special order of business on December 17.[17]

One hundred and fifteen nominations were submitted by the President during the special session. Ninety-three of these were confirmed. Twenty-one were not acted upon and one was rejected (that of Mr. Warren). The major nomination which was not considered was that of Thomas F. Woodlock, to be a member of the Interstate Commerce Commission. It was the second time that the Senate had declined to consider this nomination and Mr. Woodlock was given a recess appointment.[18]

[16] Between December 12 and March 18 the Senate ratified nineteen treaties. This, according to Senator Borah, constituted a record. Three treaties were to assist in the enforcement of the liquor laws, and the others related to trademarks, commerce, extradition, narcotics, etc. During the long session of Congress, six treaties were ratified between the United States and Great Britain, Germany, Sweden, Norway, Denmark, and Italy to aid in the prevention of smuggling intoxicating liquors into the United States.

[17] On February 3, 1925, the House of Representatives adopted an amendment to the Naval Appropriations Bill requesting the President to call another conference for the limitation of armament. The same day the Committee on Foreign Affairs reported with a favorable recommendation a resolution endorsing the World Court and expressing the "earnest desire" of the House that the Government give its "early adherence" to the protocol with the reservations recommended by Presidents Harding and Coolidge. The right of the House to make such a pronouncement on foreign policy is upheld in an elaborate and able report prepared by Representative Burton, Sixty-eighth Congress, 2d Session, House Report No. 1569.

[18] For a criticism of Mr. Coolidge's appointments to the Interstate Commerce Commission, the Federal Trade Commission and the Tariff Commission, see an article by Senator George W. Norris, "Boring from Within." *The Nation*, September 16, 1925.

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LEGISLATIVE NOTES AND REVIEWS

EDITED BY WALTER F. DODD

The New Hampshire Legislature: Session of 1925.[1] The legislature of the state of New Hampshire is one of the most peculiar in the United States. The senate is small, consisting of but twenty-four members, while the house of representatives, with its four hundred and twenty-one members, is the largest legislative body in the land with the single exception of the lower house of Congress.

The senators are chosen from districts, determined by dividing the state into twenty-four districts "as nearly equal as may be without dividing towns and incorporated places," and the legislature "in making this division—shall govern themselves by the proportion of direct taxes paid by the said districts." We have, therefore, a body of men representing not population but wealth. New Hampshire is the only state in the United States with such a body. In the future with the rich estates of city millionaires springing up in the White Mountains we may conceivably approach the old rotten borough system of England with a wealthy community of one hundred as well represented as a city of fifty thousand.

During the session of 1925 the senate consisted of nineteen Republicans and five Democrats. The data was incomplete on the total membership, but that available is interesting in its portrayal of the composition of this august body. Eighteen of the senators were native sons of New Hampshire; while of the rest, two were born in neighboring Massachusetts, two in Canada, and one in Rhode Island. Thus, most of the men were born and probably spent a large share of their lives in New Hampshire. This is what might be expected in an old established state.

[1] This study is the work of two seniors of Dartmouth College, carried on under the direction of Professor Richardson of the political science department. The statistics used have been taken from analyses of the *Brown Book*, the house and senate files of bills introduced, and the house and senate journals. Some first-hand knowledge of the actual workings of the legislature was gained on a short visit to Concord; and the help and advice of Professor Richardson, who is a member of the house, has proved invaluable in carrying on the work.

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Turning to education, eight senators could claim a college education or better, eight at least a high school education, and seven others were grammar school graduates. Nineteen of the senators were married men and, of this number, fifteen had children. Twenty-two of the senators had previous legislative experience while two had none.

New Hampshire is a rural state, and four of the members of the upper house laid claim to the honor of being dirt farmers, three were lawyers, while two operated hotels for the tourist trade. The other occupations were scattered and included a merchant, a druggist, a newspaper man, a manufacturer, a clergyman, a banker, a grocer, a lumberman, an undertaker, a textile superintendent, a laborer, a veterinarian, and a surgeon. Certainly a representative group with no idlers or professional politicians in it. The religious affiliations were also varied: six Congregationalists, three Unitarians, two Episcopalians, two Catholics, two Methodists, two Baptists, two Protestants, three unclassified, and one "follower of the Golden Rule."

In age the group varied from young men of thirty-one to old war-horses of seventy-seven. The average was fifty-three years. Men are gregarious animals and love companionship and close association. New Hampshire's senators nearly all belonged to some fraternal organization. Many belonged to several: eleven were Masons, eight Shriners, five Odd Fellows, four Elks, three Knights of Pythias, three Grangers, and three Knights Templar.

The house of representatives is a cumbersome body. Four hundred and twenty-one members, two hundred and seventy-three Republicans, one hundred and forty-seven Democrats, and one Independent, composed its membership. This body is based on population: one representative for each town or city ward of six hundred, and another representative for each twelve hundred additional population. Towns that have less than six hundred are represented every few years according to their size. Contrary to the conditions in some states the rural element is not greatly over-represented to the disadvantage of the urban. Each representative represents 1049 persons, if we take the average, but this varies from place to place. If he be from Manchester he represents 1147, while from Nashua he would be the representative of 1217 people. If, on the other hand, we take the average rural representative, he represents less than one thousand people, 938 to be exact. Thus, a representative from the country represents a smaller constituency than one of the more populous communities, but the difference is not so marked as it is in some other states. Manchester, the largest city in the

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state, sent 68 representatives; 74 would have been the number according to her proportion of population.

During the session now under consideration the house has a number of notable men among its members; an ex-governor, an ex-chief justice of the supreme court, a professor of political science in Dartmouth College, and two former speakers, being men of distinctly high calibre. Of the total membership, 78 could boast of a college education or better, while 145 had at least a high school education. Of the rest 198 were products of the common schools alone. Some were entirely self-educated, a few not too well.

The married members numbered 366, and 267 had children, while over one-half (251) had previous legislative experience of one sort or another. As in the senate, New Hampshire led in place of birth, 262 claiming the Granite State as their birthplace. Of the rest 45 were born in Massachusetts, 43 in Canada, 19 in Vermont, 14 in Maine, and 11 in New York; Pennsylvania, England, and Ireland each had 7; the state of Wisconsin could claim two; and Minnesota, Rhode Island, Ohio, Illinois, Austria, and Norway each had an individual representative born within their limits. The religions again are scattered, with 99 Roman Catholics, many of whom were of French-Canadian or Irish ancestry, and most of whom were Democrats, in the lead. Ninety-seven claimed to be just "Protestants," while 17 were miscellaneous, or unclassified. The rest consisted of the following: 66 Congregationalists, 43 Methodists, 29 Baptists, 19 Unitarians, and 15 Episcopalians.

The average age, fifty-one years, was quite old for the lower house of any legislative body. This was due to the large number of retired or semi-retired men elected. The youngest member was but twenty-three, while the oldest was eighty-five. Three were veterans of the Civil War. The Masons again led in fraternal organizations with 154 members. After them came the Odd Fellows with 101, the Grange with 72, Shriners with 46, Knights of Pythias with 41, Knights of Columbus with 33, Elks with 31, and Knights Templar with 24. Many other organizations also could claim members, but none in sufficient numbers to warrant listing.

In occupations there is greater variety and those with more than three members are noted. Farmers lead with 84, which is more than the next three put together. Merchants with 29, business men with 21, and manufacturers with 16 follow, while contractors and clerks are tied with 15 apiece. The number of lawyers is unusually small there being but 12, the same number as there are insurance men. Other

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occupations are: grocers 11; realtors 10; clergymen 9; lumber men, railroad men, laborers, and mechanics, each 8; teachers and painters, 7 apiece; electricians, hotel men, physicians, engineers, and mill workers, 6 each; carpenters 5; and 3 salesmen, auctioneers, printers, bankers, journalists, garage men, and druggists. This leaves 88 in scattered occupations or retired.

There were fourteen women in the house, 6 of them being Democrats and the remaining eight Republicans. All were married, and of the nine who stated their vocation, seven were housewives, one a doctor and another a journalist. Six of the women representatives were Roman Catholics, two Congregationalists, two Christian Scientists, one a Universalist, one just a Protestant, while two failed to state their religious beliefs.

The constitution of New Hampshire states that in general both the house and the senate shall "settle the rules of proceedings in their respective houses." There are, however, two constitutional provisions in regard to legislative procedure and attendance which, in the opinion of the writers, should be changed at the next amending convention. The first provision states that the legislature cannot constitutionally adjourn itself for more than a two-day period. In actual practice, the legislature works but two and a half days a week Tuesday, Wednesday, and Thursday morning. On Monday and Friday the chair is usually held by a temporary appointee other than the speaker, and the house, consisting of possibly ten members, is called to order and adjourned within two minutes, while the majority of the members are enjoying the comforts of home. This three-day week has distinct advantages: it enables the state to secure as legislators many able men who find it possible to carry on their business at home in the three or four remaining days, but who under a six-day legislative week, could not afford to give up business and run for the legislature with its $200 honorarium. Moreover, these weekly visits serve to keep the legislators in closer touch with public opinion back home. While it does seriously interfere with the work of the committees, this disadvantage might be eliminated by the adoption of the legislative recess, which is discussed in the following paragraph. If, therefore, the three-day legislative week is desirable, why not make it constitutional by striking out the "two day adjournment" clause, instead of resorting to the amusing "dummy sessions" expedient.

A second objection to the two-day adjournment clause deserves more

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serious consideration; namely, that it prevents the use of a legislative recess. In brief, the plan for the legislative recess is as follows: the legislature upon coming into session in January, should sit for a time sufficient to organize the houses to allow the introduction and first and second readings of bills, and referring of bills to committees by the Speaker. When all the bills are in, the legislature as such may adjourn, and a period of two or three weeks can be devoted solely to committee hearings. Under the present system, committee hearings are inserted into the days' programs here and there, between, before and after sessions, and attendance is as a rule very poor. Members coming late from nearby towns, such as Manchester, miss the meetings scheduled before the eleven o'clock session of the legislature; the same members, leaving for home early miss the meetings scheduled after the three o'clock session; while the time taken for dinner interferes appreciably with meetings scheduled between sessions. A house as large as that of New Hampshire must depend very largely on the work of its committees; and it is inevitable that with their small and poorly planned committee rooms, and the irregular attendance, the committees of the New Hampshire legislature cannot do justice to the importance of this work.

A legislative recess would enable the committees to get together all the bills on any subject before reporting, thus treating the subject as a whole, not piecemeal; committee hearings could be scheduled at hours which would ensure full attendance; and the change would tend to give them an importance and publicity which they do not receive at present.

The second constitutional provision which the writers believe should be amended is the right of any member to demand a roll-call. This is quite practicable in the senate, with its twenty-four members; and in 1783, when the constitution was framed, it probably worked well in the house, small as it was in those days. But it takes nearly an hour to call the roll in the house at present, and such an opportunity to delay business should not be available to any one member; in our opinion, the motion for a roll-call should require at least fifty votes.

The procedure of law-making in New Hampshire is briefly as follows: Any member or committee may introduce a bill in either house. In the house, where most bills originate, the bill is written on a blank form with a suitable title indicating its subject matter, and placed in a box near the Speaker's desk. The following morning the bill is given its first reading, usually in full; a second reading by title follows immediately, a purely perfunctory proceeding, as bills are never killed at this stage.

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The bill is now printed, given a number, distributed among the members, and referred by the Speaker to the proper committee for hearings and a report. Committee hearings are advertised in the journal in advance—this unfortunately is the only publicity which these notices receive—and after public hearings the committee makes its report. As a matter of convention, the report on a bill usually takes one of three forms: either "ought to pass," "ought to pass with amendment," or "inexpedient to legislate"—this last being a euphemistic way of recommending that the bill in question be killed. When a bill raises a real controversial issue, a minority report is often filed dissenting with that of the majority, and debate in the house is usually on the question of the substitution of the report of the minority for that of the majority. It is at this point that a bill either is killed, amended, or passed. This crucial stage of the third reading is always scheduled for the three o'clock session, and it is at this time that debate, for the most part, occurs, and the spirit of the house changes from that of perfunctory acquiescence in routine procedure to that of partisanship, with real differences of opinion and tests of strength ensuing. A bill if it survives this ordeal in the house is forwarded to the senate, where it goes through substantially the same procedure; if defeated, the bill is quite literally "killed," being dropped from the consideration of the legislature except in rare cases of reconsideration.

The object of this rather involved procedure is, of course, to ensure that legislation may not be hasty and ill-considered, that each member of the legislature shall be acquainted with the nature and implications of each bill before voting upon it, that "railroading" a measure through the house shall be as difficult as possible. The first reading of the bill has some educational value, while the final reading serves the purpose of requiring a period of time during which a committee is considering the bill in detail, and during which the house has the opportunity for investigation and the forming of an intelligent and deliberated opinion of the bill. But the second reading of the bill, coming as it does immediately after the first reading and being by title only, has neither an informative or deliberative value, and should be abolished. That the procedure succeeds fairly well in weeding out undesirable measures is shown by the fact that 385 out of the 638 bills introduced into both houses failed to become law; the much discussed cosmetic bill, which passed the house without anyone realizing its full implication, forms an outstanding exception to this generalization. In this case the senate

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perceived the real nature of the bill, which would have prohibited practically all cosmetics under the guise of a simple health regulation, and killed it.

Before turning to a criticism of the committee system, it will be valuable to analyze briefly the subject matter of the bills introduced. Such an analysis will indicate the nature of the raw material which the legislative machine must handle, and show the fields with which American state governments are chiefly concerned today. It is amusing to note that in New Hampshire, fish and game legislation holds the center of attention, if we are to judge from the number of bills introduced; 43 fish and game bills were introduced into the house, this being the largest number under any classification. The next most prolific subject matter is special town legislation, with 41 bills introduced. The other important classifications are as follows: roads, bridges, and canals, 39; motor vehicles, 26; taxation, 24; state administration, 24; public health, 23; special private legislation, 21; insurance and banks, 21. Although New Hampshire is regarded primarily as an agricultural state, we must conclude that New Hampshire farmers believe in a minimum of state interference, as only eleven bills pertaining to agriculture were introduced; while twelve bills pertaining to corporations, and six bills regarding labor, indicate that industry has at least as much public interest in New Hampshire as has agriculture.

The 638 bills introduced in the 1925 session were referred to some thirty-five committees in the house, and twenty-four committees in the senate; but the work was far from being equally distributed among these committees. In the house, the committee on the judiciary did by far the greatest amount of work in the original consideration of bills, 89 being referred to it. Although the committee on appropriations had only 30 referred to it originally, this committee doubtless had to consider even more bills than the committee on the judiciary, inasmuch as all bills involving the expenditure of money must be referred to it before final report. The committee on the revision of the statutes handled 59 bills of a wide variety of subject matter, the principal subject being motor vehicle laws. The committee on fisheries and game handled 42 bills; the committee on public improvements, 27, most of which pertained to state road construction; the committee on public health, 21; the committee on ways and means, 20. The rest of the committees handled less than thirteen each, four committees handled only one each, while eleven committees had no bills whatever referred to them.

In the senate, the disparity in the work done by various committees

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was equally great; to the committee on the judiciary were referred 33 of the bills introduced into the senate; to the committee on the revision of statutes, 11; to the committee on banks, 4; to the committee on agriculture, 3. Five committees considered only two bills each, while fourteen committees of the senate had no senate bills referred to them whatever.

From the foregoing citations, it is obvious that a few committees are doing the real work of the legislature, while the majority of the committees are simply honorary but functionless bodies, doing little or nothing to expedite the business of the legislature, with their only excuse for existence the custom that each member of the legislature must be given some committee position. Now it may be impossible or inexpedient, to effect a reorganization of the committee system which will bring about an equal division of labor; it may be distinctly advantageous to have the important work of the legislature done by a few of its experienced leaders as members of the important committees; but the writers would suggest at least two changes. First, reduce the burden on the committee on the judiciary by referring many of the bills dealing with local government to the committees on towns and on county affairs, the logical groups for the consideration of these measures. Secondly, replace the existing committee on railroads by a committee on transportation, to consider all bills dealing with railroads, street railways, and motor vehicles. Motor-vehicle legislation is a subject which has grown enormously in importance in the last fifteen or twenty years; but these bills are now referred to that already overworked jack of all trades, the committee on the revision of the statutes. Inasmuch as motor-vehicle transportation has a very close connection with steam and electric transportation, as in the case of competing bus and street railway lines, it seems probable that the pressing problem of transportation could be dealt with as a whole, and with much greater efficiency, by this reorganized committee on transportation.

Gradually people are coming to place more and more confidence in the governor, and to feel that he is their representative more truly than the legislature. It is interesting to note, in this connection, just what degree of control the executive exerts over the legislative body of New Hampshire.

On the negative side Governor Winant was most successful. Not a single one of his vetoes was overridden and all were upheld by large majorities, most of them by virtually a unanimous vote. As we read

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over the vetoed bills, we wonder just how they ever succeeded in passing the house of representatives and the senate in the first place. Certainly it does not make a favorable impression to see, that after both houses had duly passed a bill legalizing the shooting of male pheasants, a rare and expensive imported bird, in Merrimack country, the governor vetoed it and was upheld by the house by a vote of 319 to 2. Nor does it seem flattering that a joint resolution allowing the state to assume responsibility for the crimes of mental defectives was passed by the General Court, the veto of which by the governor, who pointed out the bad precedent created, was upheld 294 to 2. It would seem that the governor was very careful in inspecting the bills brought to him to be signed, and was highly respected in the house, to justify such a complete reversal on its part.

On the positive side we will examine what part of the governor's program was enacted into law. It is well to recall that, while the senate and house were both strongly Republican, the governor did not have a large working majority. On some measures, notably the forty-eight hour law, he received more support from the Democratic party than from his own, the Republican party. This explains why not all of his program was favorably considered.

For convenience we have listed the twenty more important items in the governor's message and the legislature's action on them.

Governor asked in his message	*Action of General Court*
1. For special counsel to fight the B. & M. abandonment of certain of its lines in New Hampshire.	1. This was granted.
2. For an investigation of state finances and state departments with a view to reorganization.	2. A special committee authorized and $20,000 appropriated for it.
3. A Dormitory for Keene Normal School.	3. A bond issue was authorized for this purpose.
4. Some action toward New Hampshire State University that would be the basis of future policy.	4. The University was allowed one mill on each dollar of taxes collected, and out-of-state students limited to 12 per cent of enrollment.
5. A committee to investigate the State Hospital.	5. This was authorized.
6. No loosening of dry law.	6. Nothing was done contrary to this.
7. A reduction of the Poll Tax.	7. The Poll Tax was reduced.
8. A Standard Coöperative Marketing Law.	8. Such a law was passed.

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9. Some provision for an accurate state map.	9. $25,000 a year for five years appropriated for this purpose.
10. Provision for advertising the state.	10. $25,000 a year for two years appropriated for this purpose.
11. The Protection of Franconia Notch.	11. The first State Park was authorized at Franconia Notch.
12. The encouragement of the National Guard.	12. Armories were provided for Berlin and Keene.
13. Investigation of fire hazards at state institutions and action to to eliminate them.	13. This was done.
14. Improvement of the method of taxing state and national banks.	14. Exemption on real estate removed. Tax raised on national banks and lowered on savings banks and committee appointed to investigate whole bank tax situation and report to next legislature.
15. Reduction of auto license fees and raising of gasoline tax.	15. Auto fees were reduced but gasoline tax untouched.
16. Retention of money collected from income tax in state treasury.	16. This was rejected.
17. Passage of child labor amendment.	17. This was not done.
18. Passage of forty-eight hour law.	18. This was not done.
19. A survey of water-power resources and plan for future development.	19. This was not done.
20. National banks and trust companies should be permitted to act as administrators and executors.	20. This was not done.

Thus, of the governor's twenty requests to the legislature, fifteen were granted and five refused. On the face of it this seems quite favorable, but when we notice that among the five requests refused were the laws limiting the hours of women and children in industries to forty-eight a week, the child labor amendment to the federal Constitution, the request for a survey of the water power resources of New Hampshire, and income tax and bank legislation of an important character, and also that one of the fifteen measures enacted at the governor's request went but halfway, we realize that on the positive side Governor Winant was able to get but little more of his program adopted than failed, although on the negative side he was unusually successful.

Every state has the problem of the conflicting interests of rural and urban elements reflected in its legislature, and New Hampshire is typical in this respect. But in New Hampshire this conflict tends to approxi-

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mate party lines. The Democrats draw most of their strength from the more densely populated sections of the state while the great Republican stronghold is the country.

We have taken as urban all towns and cities of over five thousand, which we believe will meet with the approval of those who are familiar with conditions in the Granite State. Of the total number of urban representatives, 198, 103 were Republicans and 95 Democrats, while of the total number of rural representatives, 223, 170 were Republicans and 52 Democrats. Hence, the Democrats drew 64.6 per cent of their number from the urban section while the Republicans had but 37.7 per cent of their number from the same source.

If we look over the four available roll-calls we can see some evidence of this conflict. The first is very one-sided but illuminating, the second most typical, the third very poor as a barometer, and the fourth a fairly good example.

Of the 36 voting for the child labor amendment 17 were Republicans and 19 Democrats, while 27 were urban and but 9 rural. Therefore, what little support this measure received was from the urban elements of both parties.

In the vote on the forty-eight hour law, there were 59 Republicans for and 173 against, while the Democrats had 94 in favor and 24 opposed. Hence, the governor on this particular measure had the support of most of the Democrats and the more progressive men in his own party, but met defeat because of the conservative Republicans. Even more marked was the rural-urban division with 108 urban and 45 rural representatives in favor, and 35 urban and 164 rural opposed.

The direct primary contest proves but little on the political side. For its retention were 167 Republicans and 88 Democrats, with 71 Republicans and 34 Democrats against it. The more conservative rural elements had 96 against to 130 for, while the more liberal urban element had but 39 opposed and 126 in favor. Still the difference is slight and shows that, on certain issues party and population lines fall.

The compulsory auto liability insurance bill passed the house but was defeated in the senate. It is a good example of rural-urban conflict and a fair one of Republican-Democratic conflict. In favor were 101 Republicans and 75 Democrats, while 128 Republicans and 32 Democrats were against it. Also 109 urban members combined with 65 rural ones to vote "Yes," while 43 urban and 117 rural representatives voted "No."

So we see no clean-cut division either rural v. urban or Republican v.

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Democrat on any question, but a strong tendency on several toward such a division. And it becomes increasingly clear that such division as there is is largely between the rural Republicans, on the one hand, and the urban Democrats, on the other.

The legislature of New Hampshire is probably neither better nor worse than most of our state legislatures. We feel that it represents fairly the people of an old and distinctly rural state, and that despite archaic rules of procedure and an obsolete committee system, it has succeeded in passing more than an ordinary amount of constructive and progressive legislation. Partisanship has been present, but to a much less degree than is found in most of our state governments or in our national government.

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Counting Votes Before the Polls are Closed. The problem of counting the election ballots and making out the election returns is a serious one and becomes more serious as time goes on. The old method by which the election board began the count immediately upon the close of the polls and were not allowed to rest or leave the polling place until the count was completed, certified, sealed and turned in, is still in use in most of the states. The difficulties of counting the ballots, especially in the larger precincts, have attracted public attention and efforts are being made to correct them. A number of states have introduced double election boards as the best method of meeting this problem. This study attempts to show briefly what has been done in each of these states. In some other states central counting boards have been established to deal with the increased number of votes, due in large part to woman suffrage.

Double election boards were first introduced in Missouri in 1875: Missouri was the only state to use this method of counting the ballots for nearly a quarter of a century. In 1899 Idaho adopted double election boards, followed by Texas in 1905, Oklahoma in 1907, Colorado in 1913, Kansas in 1915, Nebraska and West Virginia in 1917, Iowa and Oregon in 1921 and Utah in 1925.[1]

[1] The following citations give the original and amending acts:

Missouri, *Laws* 1875, p. 51, sec. 3; *Revised Statutes*, 1879, sec. 5495; *Laws 1907*, p. 260; *Laws* 1915, p. 281.

Idaho, *Session Laws* 1899, p. 372; 1909, p. 196, H. B, 16, sec. 21.

Texas, *General Laws*, first special session 1905, ch. 11.

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In the three states last added to the list the appointment of double election boards is permissive. Though double election boards have been known for fifty years, nine of the eleven states have provided for them within the last twenty years—not counting the state of Michigan. Their history indicates that double election boards have served a definite need in election machinery. They have remained on the statute books with slight amendment.

Twelve states now provide for double election boards. These states are Colorado[2] Idaho,[3] Iowa,[4] Kansas,[5] Michigan,[6] Missouri,[7] Nebraska,[8] Oklahoma,[9] Oregon,[10] Texas,[11] Utah[12] and West Virginia.[13] The Michigan law provides for a separate counting board at the option of the proper appointing authorities, but unlike all the other states the counting board does not begin the count until the close of the polls. Michigan therefore does not enter into this study. The laws of the other eleven states are alike in their main features, though presenting slight variations. They all provide for the counting of the ballots while the election is going on.

All of the eleven states fix the exact time when the count shall begin

Oklahoma, *Session Laws* 1907, ch. 31.
Colorado, *Session Laws* 1913, ch. 76; 1915, ch. 77.
Kansas, *Session Laws* 1915, ch. 205; 1917, ch. 179, 180; 1921, ch. 181.
Nebraska, *Laws* 1917, ch. 32; 1919, ch. 83; 1921, ch. 87.
West Virginia, *Acts* 1917, ch. 37.
Iowa, *Session Laws* 1921, ch. 60.
Oregon, *General Laws* 1921, ch. 161.
Utah, *Laws* 1925, ch. 34.

Georgia does not provide for double election boards, but does provide that "The superintendents may begin to count the votes at any time in their discretion, but they shall not do so until the polls are closed if a candidate in person or by written authority objects." *Polit. Code* 1914, sec. 82 (6). A letter from the legislative reference department of the Georgia state library says "It is customary to count the votes upon the close of the polls."

[2] Colorado—*Compiled Laws* 1921, sections 7683–7692.
[3] Idaho—*Compiled Statutes*, sec. 627–631.
[4] Iowa—*Code* 1924, sec. 887–903.
[5] Kansas—*Revised Statutes* 1923, ch. 25, art. 5.
[6] Michigan—*Compiled Laws* 1922, sec. 3848 (170)–3848–(174).
[7] Missouri—*Revised Statutes* 1919, sections 4776–4781.
[8] Nebraska—*Compiled Statutes* 1922, sections 1925–26, 1958, 2020–22, 2032.
[9] Oklahoma—*Compiled Statutes* 1921, section 6144–55.
[10] Oregon—*Session Laws* 1921, chapter 181.
[11] Texas—*Complete Statutes* 1920, articles 2921, 2923–24, 3006–24.
[12] Utah—*Laws* 1925, chapter 34.
[13] West Virginia—*Code* 1923, pp. 32–34.

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but they do not all fix the same time. In Kansas, Nebraska and West Virginia the count begins four hours after the opening of the polls; in Missouri and Texas, one hour after the opening of the polls; in Idaho it begins when five votes[14] have been cast; in Iowa it begins at one o'clock p.m., in Colorado at eight o'clock and in Oklahoma and Oregon at ten o'clock in the morning. Oregon provides further that the count shall not begin until twenty votes shall have been cast.

All of the laws agree in providing a separate, convenient place for the conduct of the count. It may be a separate building, a separate room, or a partitioned room or space in the voting place. They also provide for guarding the ballot boxes and keeping them under the constant observation of election officials. In general, provision is also made for permitting authorized watchers to guard the interest of the different political parties and candidates, although the Kansas law and the West Virginia law are silent on this point, and the Iowa law provides that no person shall be admitted to the place where the count is being conducted until the polls are closed, except the counting board.

The law is compulsory and applies to all elections in all election precincts in the states of Missouri and Oklahoma. It is compulsory in six other states in precincts where the vote would seem to warrant an extra counting board. In Idaho, Nebraska, Texas and West Virginia it applies to all general and primary elections, in Colorado and Kansas to all general elections. The measure of need for the extra board is generally set by the total vote cast in the precinct at a preceding or the last preceding general election or by the vote cast for a particular officer, as the governor in Idaho or the secretary of state in Kansas. In Texas, it is made dependent upon the number of male citizens in the precinct who can show poll tax receipts or certificates of exemption. In the other three states this provision of the law is similar, except that it is permissive. In Iowa and Oregon it applies to general and primary elections; in Utah, to general elections.

In all of the states except Oklahoma provision is made for duplicate ballot boxes—one to receive ballots while the ballots in the other are being counted. The counting judges return the empty ballot box to the receiving judges and receive from them the box containing the votes cast during the count. Some of the laws require the receiving judges to state the number of ballots in the box when they deliver it to the counting judges. In Oklahoma, where there is no provision for the extra

[14] Original law and Revised Code of 1908 read "when 50 votes have been cast." The election law pamphlet of 1924 and the compiled statutes read five votes."

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ballot boxes, the box is unlocked and the ballots emptied into a separate receptacle for the judges to count and the empty box is immediately used again to receive the ballots. Kansas provides two boxes in duplicate for state and national candidates and two in duplicate for constitutional amendments and submitted questions. Oregon provides two boxes in duplicate for all general ballots and two smaller boxes in duplicate for ballots cast for state and district officers only.

Without a single exception the states provide in the law that no information shall be given out as to the result of the election by the counting officials or by the watchers until the polls are closed. The laws differ in the severity of the penalty imposed for violation of the secrecy clause.

The most drastic punishment is provided in the laws of Iowa and Nebraska where the penalty is disfranchisement for five years plus a fine of not more than $500 or jail for not more than six months. Idaho and Utah set the penalty at a fine of not more than $1,000 or imprisonment for not more than one year or both such fine and imprisonment.

Colorado makes the penalty a fine of not more than $500 or jail for not more than six months or both fine and jail. Oklahoma provides for both fine and jail—the fine, $25 to $100, and the jail sentence 30 days to one year. In Oregon and West Virginia, the penalty for violation of the secrecy clause is either a fine of $100 to $500 or a jail sentence of 30 days to 1 year.

In Kansas, Missouri and Texas, no special penalty is attached for violation of the secrecy clause, although in Missouri the general penalty probably applies for failure on the part of a judge to perform his duty. This is a fine of $200.

The procedure after the close of the polls differs, some states providing that the two boards shall unite and continue the count until it is completed. Such is the case in Idaho, Missouri, Kansas and West Virginia. Other states keep the two boards entirely separate and require each board to certify to the work that it has performed, as Nebraska does. Then again the laws of some states provide that all the judges of election shall join in making the return when the count is completed, but do not make it clear whether or not the receiving board assists in completing the count. The Oregon law provides that the counting board continue the count until completed or until eight o'clock a.m. of the next day. If the count is not then completed, then the receiving board are to relieve them and continue the count. They are in turn to be relieved by the counting board at eight o'clock p.m. if the count is not completed by that time, and they go on relieving each other until the

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count is completed. The returns are then made out so as to show the work of each board separately.

LUCILE MCCARTHY.

Wisconsin Legislative Reference Library.

New York State Literacy Test. An amendment to the New York State Constitution was passed in 1921 which provided that all new voters should be able to read and write English. To make effective that amendment the legislature, in the next year, passed a law requiring the test of proof of literacy under two sub-divisions. The first sub-division provided that the new voter should read aloud intelligently from slips containing extracts from the state constitution, and write ten words from such slips as selected by the inspectors of election; the second sub-division, that in lieu of such examination by an inspector, the new voter might present a certificate signed by a school head, and that the board of regents should adopt rules governing the issuance of such school certificates. In 1923 the legislature amended the election law making possible only one method of determining the literacy of new voters. By that law, which became Chapter 809, Laws of 1923, the new voter could present a certificate that he had completed the eighth grade or its equivalent within or without the state, or he might, as an alternative, present a certificate under the rules of the regents.

Almost simultaneously the legislature passed two other bills amending the election law. All three were approved by the governor on May 28 and became laws on that day. The second law became Chapter 810 and contained in connection with other matters, the following provisions; "The Board of Elections of the City of New York and elsewhere of each county shall provide the necessary said slips of extracts from the State Constitution to be used for literacy tests."

The third bill became Chapter 803 and provided as follows: "Section I: Section one hundred and sixty-six of chapter five hundred and eighty-eight of the laws of nineteen hundred and twenty-two, entitled 'An act in relation to the elections, constituting chapter seventeen of the consolidated laws,' is hereby amended by inserting therein a new sub-division, to be sub-division three, to read as follows: Upon registering a voter after administering such test or receiving such proof, each inspector shall make a note upon his register in the registration remarks column, literacy test 'satisfactory' or 'unsatisfactory' as the case may be. This act shall take effect immediately."

These two laws were interpreted by the board of elections of the city

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of New York to mean that two methods of determining literacy were to be used as provided for in the laws of 1922, and so directed all election boards under their jurisdiction. Their decision was based on the phraseology of Chapter 810, "each county shall provide the necessary said slips of extracts from the state constitution," and of Chapter 803 the words, "after administering such test or receiving such proof." A question arose immediately over their decision and the state commissioner of education requested an opinion as to the status of the literacy test. The attorney general ruled, September 27, 1923, that Chapters 803 and 810 must be considered as effective in that the test of literacy by election boards was revived, and that the new regents test was the alternative method. Dissatisfaction with the ruling of the commissioner of education caused an action to be begun in the supreme court, asking for a writ of mandamus to compel the board of elections of New York City to revoke instructions to election boards to conduct tests of literacy for new voters by means of slips upon which was printed an extract from the constitution of the state. This writ was denied by Justice Wagner on October 8, 1923. The action was carried to the appellate division of the supreme court, the decision of the lower court reversed, and the writ granted. The board of elections was directed to refrain from registering any person who did not possess a certificate as provided for in Chapter 809 of the Laws of 1923.

The action was then carried to the court of appeals and, in an elaborate decision, the action of the appellate division was upheld. The court ruled that the second and third laws (Chapters 810 and 803) signed on May 28, 1923 were meaningless, in that they applied to a law which had been repealed by Chapter 809, and these statements were surplusage and must be rejected as such. The purpose of the legislature was to do away with the slips and to substitute therefor the proof by certificate.

The court, after passing upon the precedence of the laws, took up a second question as to the constitutionality of Chapter 809. It was urged by the plaintiffs that the legislature was powerless to provide for intelligence tests; that legislation providing a test of ability to read and write English was the constitutional limit of suitability, and that literacy means a higher degree of education than mere ability to read and write English. The court ruled that literacy means the ability to read and write English, and that the legislature had added nothing to the qualifications for voting. The court by this action determined the meaning of a word which the legislature had used to make effective the state

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constitution. The court also stated that election boards possessed no power in themselves, or by implication, to determine qualifications for voting, and that the legislature might delegate that power to the educational authorities to give the only tests of literacy for new voters.

The decision of the court made Chapter 809 of the Laws of 1923 operative, placing the power of determining literacy for voting solely in the hands of the board of regents, and giving New York the distinction of being the only state in which this power is placed solely in the hands of the educational authorities.

F. C. CRAWFORD.

Syracuse University.

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NOTES ON INTERNATIONAL RELATIONS

The Institute of Politics. "Your country is one of the few I know," said Robert Masson, lecturer on the peace problems of France at the Institute of Politics, "that shows permanent and earnest desire to gather information about other countries." One may conclude, however, from other comments on this general topic at the fifth session of the Williamstown Institute, that the American attitude toward international affairs is closely paralleled in other countries. In his address which formally opened the Institute this year, Mr. Lionel Curtis, of London, leader of a round-table on the British Commonwealth of Nations, explained the work of the British Institute of International Affairs, the aims and purposes of which closely approximate those of the Institute of Politics. "The real problem," Mr. Curtis said, "is to enable the small handful of people who in fact shape or mis-shape public opinion to obtain a better insight into the real problems upon which it is their business to speak or write." The aim of the British Institute, he continued, is to have a small group of experts studying continuously the major problems of international relations, and ultimately, when crises which involve these problems occur, to present the results of their investigations for the guidance of public opinion and of political policies. The increase in the number of institutions of this character was also commented upon by President Garfield in a brief address at the opening session of the Institute, when he took occasion to restate the aims of the Institute of Politics. Such institutions, he said, are unofficial conferences, the value of which we hardly yet appreciate. "It is an extension of the parliamentary idea, an advance in the field of government. Conferences like this, and the many others that are now being held in this country and throughout the world, for the purpose of enlightening public opinion, are assemblies precedent to the official parliaments of nations."

The proceedings of the Institute of Politics this past summer certainly equalled, and in the opinion of many competent observers, surpassed those of previous years. Nine round-table conferences were held; two general conferences, meeting twice weekly, open to all members of the Institute; and three lecture courses were offered. The topics dis-

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cussed by these various methods may be stated broadly as follows: The Foreign Policy of the United States; Political and Economic Problems of Europe; The Progress of International Organization; and certain nonpolitical factors in international relations, such for example, as population, armament, food supply, and mineral resources.

The open conference on the Recent Foreign Policy of the United States was conducted by Professor George H. Blakeslee, of Clark University. This conference considered in successive meetings the European policy of the United States; the Monroe Doctrine and the Caribbean area; the policy of the United States in the Far East; and the general economic and financial policy of the United States with foreign countries. One of its early sessions was distinguished by a remarkably candid and able statement of the official policy of the present administration, by Mr. William R. Castle, Jr., chief of the division of western European affairs of the department of state. Mr. Castle first drew attention to a new series of commercial treaties which the state department has now in process of negotiation, which, he stated, will go far toward eliminating causes of misunderstanding in international trade relations. These treaties are to be founded on general most-favored-nation treatment, the United States relinquishing the old idea of a *quid pro quo*, which limits the general-most-favored treatment, and will retain special treatment only in the case of Cuba. He reiterated the determination of the government to bring about a funding of all war debts to the United States. The administration rejects cancellation, and likewise strict and instant accounting, for either of these extreme measures is both economically and morally unsound. All funding arrangements will be based on the principle of financial obligation, but there will be developments from that principle fitted to the particular case. The administration has no intention of departing from the traditional American policy of noninterference in European political affairs, but in all matters directly affecting the United States, it plans to coöperate with the League of Nations when such coöperation appears to be the best method of getting results. The government foresees increasing usefulness of the League, especially after Germany is admitted to membership, and if the members of the League choose to use the machinery of the League of Nations for the accomplishment of good, there is certainly no reason for the United States to remain sullenly absent from conferences held under the League's auspices. The administration, Mr. Castle asserted, earnestly desires that, under the reservations suggested by Presidents Harding

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and Coolidge, and by Mr. Hughes, America shall seek membership in the Permanent Court of International Justice.

Other special speakers who addressed this conference included Professor Arnold J. Toynbee, who spoke on the British view of American foreign policy; Judge Otto Schoenrich, on American policy in the Caribbean; Mr. Victor M. Cutter, President of the United Fruit Company, on United States corporations in Latin-America; Dr. Arthur N. Young, on the Department of State and American enterprise abroad; and Mr. Alvin Johnson, editor of the *New Republic*, on America as an international investor. Addresses on American policy in the Far East were given by Motosada Zumato, editor of the *Herald of Asia;* Dr. Logan H. Roots, Bishop of Hangkow; and Dr. Charles K. Edmunds, Provost of Johns Hopkins University.

Professor Blakelee's conference was intended to furnish a general survey of the foreign relations of the United States, and one of its most important regional policies was studied in detail at the round-table conducted by Dr. Leo S. Rowe on Outstanding Problems of Inter-American Relations. The thought of the American people should be clarified in its interpretation of the Monroe Doctrine, the leader asserted. This doctrine is not the sum-total of our Latin-American policy; it includes but two principles: a declaration against colonization, or any other form of extension of dominion on the American continent by any nonAmerican power; and a declaration against the intervention of nonAmerican powers encroaching upon the independence of an American state. No principle other than these two should ever be designated as an integral part of the doctrine. On this basis the Monroe Doctrine should be made a common doctrine of all American republics, Professor Blakeslee observed at one of his conference meetings. It is resented by Latin-American states so long as it is one of tutelage and guardianship. Dr. Rowe's round-table discussed the Monroe Doctrine, its purpose at the time of its formation; the influence of changed conditions on the content and application of the doctrine; its present significance with special reference to the attitude of the Latin-American republics. This conference also devoted sessions to the international problems involved in our relations with Mexico, the Caribbean area, and South America, respectively.

A comprehensive and illuminating survey of contemporary European politics was given at the round-table conducted by Professor Bernadotte E. Schmitt, on Some Political Problems of Contemporary Europe. While the European scene, Professor Schmitt pointed out, is still

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largely dominated by Great Britain, France and Italy, new factors of first-rate importance have appeared in post-war Europe. No great alliance like that of pre-war days exists; on the contrary, there may be distinguished four groups, each composed of four states, with a certain identity of interest. First, the remnants of the grand alliance of the War, Great Britain, France, Italy and Belgium; second, the four ex-enemy states, Germany, Austria, Hungary and Bulgaria; third, the Baltic republics, Finland, Esthonia, Latvia, and Lithuania; and, finally, the succession states, Poland, Czecho-Slovakia, Jugoslavia, and Roumania.

Most historians are agreed, said Professor Schmitt, that in its broad outlines the map of Europe, as drawn by the treaties of 1919–1923, is the best arrangement ever devised. But certain frontiers should be modified within the general framework of the peace treaties. Too often they were drawn for political or strategic reasons. Article XIX of the League of Nations Covenant, providing for a reconsideration of treaties, may yet prove the salvation of Europe. The greatest problem in each of the succession states is to create a sentiment of genuine national solidarity, and closely related to this and of major importance is the question of the treatment of minority populations. The conference studied in turn the following topics: The Croatian problem; the Macedonian question; the situation in Bulgaria; Transylvania; Economic and political developments in Hungary; Austria; Minorities in Czecho-Slovakia; the Little Entente; German-Polish relations, including Upper Silesia and the "corridor" and Danzig; and the problem of security.

The economic aspects of the European situation were dealt with by Professor Edwin F. Gay, at a round-table on the Economic Recovery of Europe. The real meaning of economic recovery, Professor Gay stated at an early session, would be an estimate of the economic position of Europe had the war not intervened. The norm of 1913 does not suffice, though it may be noted that the present volume of European trade is only sixty or seventy per cent of the trade of 1913. The conference opened with a study of the characteristics of trade, chiefly for England, Germany and France before the War; the changes in their trade which have taken place since the War, and the relations of trade policies of these countries to the problem of international payments. Next, the conference considered the source of European foodstuffs before the War; the probability of any marked change in the source of these supplies, and of raw materials; the actual condition of the chief industries in

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northern Europe; and the probable position of the United States in view of European economic development. A decrease of agricultural imports, and an increase in manufactured exports constitutes the basis for a European program of debt-payment. It is not feasible, it was observed, for Europe to decrease its imports of raw materials, but there is some likelihood of a possible decrease in foodstuff imports. With respect to German reparation payments, the leader asserted that the regular exchange of foods and services through regular channels of trade will furnish the means of making the largest proportion of payments. He foresees, however, some assistance in this through German activities in the industrial development of Russia, and by continued payments of reparations in kind. There is no doubt that Germany can raise the amounts necessary for payments under the Dawes' plan for the first few years. Respecting transfer of payments under this scheme, it would be hazardous, Professor Gay said, to attempt to formulate the precise procedure by which German trade is to accommodate itself to reparations payments, but on the grounds of economic theory and experience, he would be extremely unwilling to say that payments cannot be made, or can be made only partially successful. And in thirty years of determined and relentless payment of war indemnity, Germany will have won back more than she lost in the War.

Mr. Robert Masson, in his lectures on the peace problems of France, stated with ability and force the position of France, though in the nature of the case he could contribute little that was new, unless, indeed, something may be expected from the alleged wizardry of Caillaux. His lectures followed the conventional order of statement of the French case: a recapitulation of losses, expenditures on reconstruction, disappointment over reparations and security, and excessive taxation. He endorsed the Dawes' program; reiterated the purpose of France to pay her debts, and ask for moderation on the part of her creditors.

The Mediterranean Area and Italy was the subject of a series of lectures delivered by Count Antonio Cippico, Italian senator and fascist. "Italy," he declared, "a prisoner in her own sea, is the gravest problem of the Mediterranean by reason of her political and economic insecurity. Her very national existence depends on those who hold the keys to Gibraltar and Suez; on those who have installed themselves for imperial, not national needs, in Malta and Cyprus. Limited in raw materials and food supply, the ever expanding population of Italy—now numbering forty-one millions—could be starved within a few weeks by those who hold these strategic points. To comply with the prin-

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ciple of the freedom of the seas in the spirit proposed by President Wilson, England must hand over the keys of Gibraltar and Suez to the civilized world." French policy in this area was likewise the subject of sharp criticism by the Senator. In northern Africa France seeks a reservoir of man power for her future wars; in Tunis she has disregarded the convention of 1896 regarding the rights of Italian subjects. The day in which France shall keep faithfully to a regime of protectorate in Tunisia, while recognizing it as a sovereign state; when she recognizes in this region the same right for Italians as those enjoyed by Frenchmen and natives; this day will mark the beginning of a good understanding between the two powers in northern Africa. Subsequent lectures lauded the achievement of Fascism, and expressed the determination of Italy to find an outlet for her excess population through emigration, which, it was implied, must permit the retention of Italian nationality. This "biological interpretation of international ethics," as it was termed by Professor Rappard, evoked from Professor East a warm recommendation to Italy of birth control as the most rational solution of her pressing problem.

The Mediterranean Area, with special reference to the Arab Countries, was the subject of more intensive study at the round-table conducted by Professor Arnold J. Toynbee. Recent times mark a revival of this area, after three hundred years of quiescence and decay. Rising national movements in Islamic countries affect points of world importance: the Riffi movement affects the Straits of Gibraltar; Egyptian nationalism, the Suez Canal; the Turkish movement, the Black Sea Straits. Professor Toynbee devoted successive meetings of his round-table to the study of the relations of France, Great Britain, Italy and Spain in northern Africa; the relations of the European powers to the native peoples in Morocco, Algeria, Tunis, and Libya; the Egyptian nationalist movement; the Sudan, its juridical status and economic development; the economic development of the Arab countries, and nationalist movements in this area.

Professor William E. Rappard's series of lectures, under the title of International relations as viewed from Geneva, dealt primarily with the development and activities of the League since 1920. In the writer's opinion, these lectures, in power of exposition, in submission of facts, and in brilliancy of statement, excelled any presentation of this subject delivered in America since the advocacy of the League by President Wilson. Professor Rappard conceives the Covenant, drawn up at Paris in 1919, as creating in reality three leagues in one; a league to

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execute the peace treaties; a league to promote international coöperation; and a league to outlaw war. The league to execute the peace treaties has gained the greatest measure of publicity; it has been in many respects a liability to the League as a whole, but an asset to the peace. Europe and the world are better for the league to execute the peace treaties. The administration of mandates has been the most successful element in this function of the League. In no case has the league succeeded in unqualifiedly enforcing the treaty provisions for the protection of minorities, but its pressure has undoubtedly exercised a moderating and constructively pacifying influence. Suppress the league and you liberate instincts of domination which at present are at least restrained. The league to promote international coöperation has had the most distinguished success, and America, through its participation in League conferences, is in effect a member of this league. The Permanent Court of International Justice is the greatest and most permanent achievement of the League. Articles X and XVI, through interpretation by the Assembly, and by the attitude of the powers, have been weakened and never effectively applied. But the league has never lost sight of its fundamental purpose to eliminate war and a revival of interest in this subject culminated in the Geneva Protocol, the eclipse of which has not exhausted other constructive possibilities. These lectures of Professor Rappard, which shortly will be published, will contribute powerfully to an appreciation of the achievements of the league, and can scarcely fail to elicit from even the inveterate opponents of this organization the admission, frequently heard from such at Williamstown, that the league is at least a "good institution for Europe."

The progress of international coöperation was presented also at the round-table on International Justice conducted by Professor Jesse S. Reeves. This group devoted chief attention to the Permanent Court of International Justice, studying its organization and structure, its judgments and advisory opinions. Professor Reeves placed considerable emphasis on the compulsory jurisdiction of the court as provided for in treaties and conventions in force, citing these as a source of jurisdictional authority for the court which will add materially to its work, and which will contribute through judicial decisions to the development of international law. Professor Rappard addressed the round-table on the subject of advisory opinions of the court, asserting that in so far as the advisory functions of the court tend to enlarge its jurisdiction and thereby contribute to the judicial settlement of con-

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troversies, which otherwise would be settled on purely political lines, the advisory function is a distinct gain. In so far as this function might tend to deprive the court of the opportunity of settling disputes which in its absence would be settled by judgments, it would be a loss. That in most cases thus far advisory opinions have operated to produce the first effect is certain.

The conference conducted by Sir Frederick Maurice on the Limitation of Armaments may appropriately be designated as "a search for the right means of security," for, as the leader early asserted, the present-day formula for peace is security, arbitration, and disarmament. He recalled in this connection Resolution XIV of the 1922 Assembly of the League of Nations as stating the essence of the disarmament problem, namely, that "in the present state of the world many governments would be unable to undertake a serious reduction of armaments unless they receive in exchange a satisfactory guarantee of the safety of their country." The conference proceeded, therefore, to discuss in turn the Treaty of Mutual Assistance; the Geneva Protocol; and the Five Power Pact. Then followed a discussion of the feasibility of compulsory arbitration, and of equipping the league with a force of its own. Great Britain rejected the Treaty of Mutual Assistance, because it carried too definite commitments to armed intervention, and similarly, it discarded the Protocol because of possible embroilment with the United States in the application of the proposed blockade. The real cause of failure to reduce armaments is not due so much to the situation between France and Germany as to the whole crop of new armies in the newly created states of Europe, many of which feel insecure in their territorial acquisitions, and stand in fear of irredentist movements. Sir Frederick expressed the opinion that a limited number of states negotiating separate treaties looking to security was a better approach to the disarmament problem than attempts for a general disarmament treaty by the League. The inclusion of Russia is essential, he said, to any program of general disarmament.

Mr. Lionel Curtis' open conference on the British Commonwealth of Nations followed the spirit of the commonwealth by the adequate provisions which were made for presenting the viewpoint of its various component members. Sir Robert Borden addressed the conference on Dominions and foreign relations; Professor Timothy A. Smitty, Irish Free State representative at Washington, on the Saorstat Eireann; Ismail Kamel Bey, First Secretary of the Egyptian Legation at Washington, on Anglo-Egyptian Relations. In the opinion of Mr. Curtis, the

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British Empire has survived conditions which destroyed Greece and Rome because, so far, it has always been able in the light of errors to get back to the principle of the commonwealth. Canada, the Irish Free State, India, Tropical Africa, and the Middle East, were considered at this conference. The vast experience of Mr. Curtis in British colonial affairs, and the able presentation of its various aspects by selected speakers rendered this conference an especially interesting and valuable contribution to the Institute program.

The conference conducted by Professor C. K. Leith on Mineral resources as an environmental factor in world affairs, and that led by Professor Edward M. East on Agricultural and population increase drew sharp attention to fundamental questions in international relations, which seemingly, are just now beginning to receive their proper attention by students of world politics. Unless the problem of political control of the few potential centers of mineral production are intelligently solved, said Professor Leith, wars are certain to result. His conference studied the geographical distribution of essential minerals; the mineral wealth of the United States and other leading countries, the Open Door Policy in its relation to mineral development; the nationalization and internationalization of mineral resources. France and Germany are mutually dependent on one another for the development of a great steel and iron industry. The Ruhr coal fields and the French ore mines form a unit, no part of which is independent or self-sufficing, and the influences at work to unite this region are commercially very strong. It is the political and military center of Europe. In the judgment of competent engineers, the oil resources of Galicia, Roumania and Russia constitute the greatest undeveloped region of the world. It is not true that England capital controls the major portion of the world's oil supply; American capital, in addition to local ownership, has possibly fifty per cent interest in the fields of Mexico and South America. Japan as a war menace was discounted by Professor Leith by reason of a lack of mineral resources, apart from other considerations. The iron and coal resources of Asia are not well located. Both China and Japan are woefully weak in iron ore. Iron and steel are the core of industrial development, and Asia is deficient in the essential requirements.

Professor East's conference devoted its attention to such topics as the following: Population saturation under different systems of agriculture; the present increase of world population; the physical limits to agricultural production; the present status of agricultural returns, with

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special reference to Europe; the bearing of immigration on agriculture, especially in the United States; the biological and ethical aspects of birth control. "Europe," said Professor East, "has a population excess under its present agricultural returns of some eighty-five millions, a problem which statesmen will have to adjust whenever the United States and other countries cease to be exporting nations." "Emigration," he continued, "forced as an economic necessity by population density, affords no permanent relief to the homeland because the ensuing birth release reëstablishes the old equilibrium. He furnished his round-table with a decalogue on migration, which was in general a strong endorsement of the present restrictionist policy of the United States.

BRUCE WILLIAMS.

University of Virginia.

Grotius and International Society of To-day. The idea of an organization of states can be traced back as far as the beginning of the fourteenth century. But the bases of projects for this purpose differed as much as the nationality of their designers. That of Pierre Dubois, of 1306, was directed toward consolidating or increasing the power of the French kings. The well known *"grand dessein"* of Henry IV was an attempt to erect a barrier against the joint powers of the Spanish and Austrian Hapsburgs. The project, published in the first quarter of the seventeenth century, by the monk Lacroix, was the first founded on a purely pacifist international basis. The projects of the Abbé de St. Pierre, who lived at the beginning of the eighteenth century, are more interesting than any others in this series, and, in principle, of more importance than, for example, that of William Penn and his contemporaries. A project of 1782 proposed an international law court. All of these projects, however, included details now appearing absurd, and were hardly capable of realization.

He, who expects to find any such project in the work of Grotius, will be disappointed. Not that Grotius did not endeavor to mould his rich and mature ideas in a form capable of realization. Far from it indeed, and especially those parts of his famous *"De jure belli ac pacis,"* dealing with the law of war of those days, point strongly in this direction. Grotius was however too sober a man, too real a thinking man, despite all the ideals that possessed him, for one to expect, that from his pen should flow the design of an organization, only to be built up, thanks to elements whose absence in his time could but too well

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be noted. Who can conceive of a refined society in a state, if a majority of cultured individuals be not present there? Who can conceive of an international society of states, that may lay claim to the name, so long as states, sovereign at least in internal authority, be not present? Such was, in Grotius' time, still by no means the case in various kingdoms of Europe. France was in that respect somewhat in advance of other countries; hence the fact, that more than one project of earlier times originated from France. In Grotius' time, however, the victory with regard to state constitutions was not by any means definitely consummated. Grotius lived in a period full of confusion and strife; in a period, when the principle, for the first time established—on paper—in 1648, that a war might not be waged for matters, adjudged to be of an internal sovereign nature, was still anything but generally accepted. He lived in a time which had evolved entirely new ideas and continued to do so.

Nevertheless, it was precisely the influence of that period that led Grotius to his work. He had forerunners, undoubtedly. To mention only a few: The Spaniards, Suarez and Vittoria were such; the Italian Gentili was such in like measure. No wonder, therefore, that our Dutch friends at the other side of the Ocean, this year, that may be termed, *par excellence*, the year of Grotius, devote their attention to those intellectually great in other realms. These latter had already perceived that certain regulations, more or less mutually observed, existed in the intercourse between nations. But the League of Nations as such, as an independent conception and science, they had not yet discovered. They could not divest themselves of morality and religion, which not only dominated the defining of relations between the nations in the sixteenth century, but were considered as being almost exclusively present. Grotius broke with these conceptions; that is the great significance of his work, a significance, which his contemporaries did not fully perceive.

This significance is for those who wonder why this book of Grotius, that seemed for a long time to be forgotten, is still constantly regarded as young and new; why it is a book which, as it has been so characteristically expressed, "cannot die." It seems, especially in our time of hurried existence, a paradox to assert that a book, written three centuries ago concerning subjects on whose aspects the times have exercised so much influence as upon these, still lives among the multitude. This should not be taken too literally; live among the multitude in the literal sense, this book does *not*, even in the Netherlands. But the

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historian, the jurist, the statesman above all, know that in this book truths were laid down for the first time, which were incomprehensible to the contemporary but which have gradually, slowly, but nevertheless incessantly led in the direction, which we regard as the right one.

There is, in the first place, the question as to the lawfulness of war. No new question for our time, although we can very well remember the time, when he, who would attack this lawfulness in a general sense, was declared to be stupid, if not worse. But in Grotius' time! Few were those who dared, and were able, to contest the lawfulness of war. It was not until 1648 that, thanks to that same treaty of Munster, it was established, that the right of war belonged only to a national society, not to private individuals. Grotius regarded the lawfulness of war from his own, entirely new, viewpoint. He did not contest its lawfulness in the general sense, as we do; he did not distinguish between war and a punitive expedition against what may now be termed the state-criminal. No, he imposed upon war, which in any case he continued to call such, certain criteria which were, in his opinion, necessary to give it, not a just, but a justified character. He thus assailed the character of war in its supreme significance. The fight against war is not alone directed against the fact of force, therein employed, in itself, but is especially directed against the fact, of its being considered possible to settle a dispute between two states by such violent means. It is directed against the inconsistency comprised in the fact, that between individuals in the civilized state the so-called "club-law" is abolished, and this war is maintained, yea, even surrounded with a certain fame and glory, in the society of states mutually. The idea, embodied in a project of some prominent Americans—which met with considerable interest in Europe and elsewhere in a recent year—of placing those who wage war "outside the law," a declaration thus really of outlawry, merely seems new; it is however the logical progression of the idea, once aroused by Grotius and developed, despite history and ourselves.

Reforms, both in national and international existence, proceed slowly, sometimes imperceptibly; years may elapse, ere the process of adaptation be consummated. No period, perhaps, has been so rich in varying ideas, especially with regard to international affairs as the last half century, with the ten years of war and post-war as a climax. Formerly, an attempt was made to surround war with characteristic symbols—such superfluous care is now abandoned. War is seen in its true character, as the most incorrect means of settling disputes. War is no longer acknowledged to be a means for obtaining justice; such is only admitted

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to be the case when, as may also be the case in self-defence between two individuals, this violence has occasionally resulted in the right being thereby established in the right place. There is always a sense of doubtfulness, however, concerning this, and a constant feeling of the possibility of its turning out quite otherwise.

That is what Grotius for the first time taught a somewhat astonished world; that is what has, since then, slowly, drop by drop, penetrated to us. Anyone seeking, in the details of Grotius' work on the law of war and peace, for points of contact with the present society, will, at least in nine cases out of ten, be disappointed. Grotius wrote his book at a time, when the law of peace was still exclusively dominated by the diplomatists; when the law of war was dominated by factors, which did not, on the one hand, become so rapidly obsolete as at present, and were not, on the other hand, dissolved by the astounding progress of science. If one would recognize the influence of Grotius' book on society of today, this book should be taken as a one and indivisible whole; as a work, not in itself projecting a new structure, but which assembled the materials for this new structure. More than once we seem to encounter contradictions in Grotius' ideas; contradictions however, which are obviously to be explained by the times in which the book was written. If Grotius imposed certain criteria upon war, as justified by him—war thus, which might be placed in the same category as nowadays a punitive expedition against a state-criminal—the conclusion does not by any means follow, on his part, that arbitration, which indeed he viewed in quite a different spirit to what we know and recognize at present, must be unreservedly accepted.

Grotius was so far a child of his time, as to regard the sovereignty of states, individually, as one of the foundations of the society of states. He could not think otherwise! But, while strongly urging this sovereignty in some respects, he sets it aside elsewhere. He attacks the egotism to which this sovereignty leads when carried too far; he sees in sovereignty more a means of resisting attacks than for acquiring advantages, born of self-seeking.

Hence too the fact, that with him the real law of neutrality in war first came to the fore. Certainly, from before Grotius' time, date declarations and deeds of entirely or partially independent states, to the effect that they wished to keep out of the conflict between two or more neighbors. But Grotius, for the first, acknowledges such a declaration as a law; from Grotius' work proceeds, for the first time, a certain logical development of this law of neutrality. Our generation

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comes at the end of the transition period, by which this law of neutrality must be dominated. In the orderly international society, such a neutrality law is indeed out of the question. Neither do we have it for the individual in the civilized state; if a great uprising should break out in the state to-morrow, we could not, each for himself, declare that we would join neither one side nor the other, but we would be obliged to act according to what the lawful authorities prescribed for us. The recognition however of the right of neutrality was, in the period of transition, in any case a beneficent factor.

Grotius' conception of war, the rejection on his part of the character of just decision, which may lie in the result of the war, led him obviously to the theory of execution against that state, we may term the criminal state. This principle is indeed carried out in all the later projects for a states organization. The feeling is gaining ground, that, no more than in a civilized state, the individual who violates the laws of orderly society can be allowed to go unpunished if only for the sake of example, can the state which transgresses the provisions of international society be allowed to go unpunished. Here too must the power of example operate. Grotius did not venture—and rightly so, in the environment of his time—on a detailed explanation of the manner, in which such execution should be regulated. By him are to be found nothing but general ideas, lines and provisions. Illuminated indeed by examples, derived by him—as was the case in his whole work—only from the ancients, from the Bible, in order, especially in the troublous times in which he lived, to appear impartial. For his work, it was sufficient, in the face of an astonished world, to establish the principle.

It may be asked, whether the Swedish king, Gustavus Adolphus, considered to have been one of the warmest adherents of Grotius' ideas and book, did not regard himself, in the Thirty Years War, somewhat in the light of leader of the army of execution. He was slain too young, to show proof that he did not fight alone for his own fame and glory or for the extension of the territory of his kingdom; but in any case it was mainly for the sake of the freedom of the faith he advocated. Even if it should have proved that he acted otherwise, it does not follow, that the idea that he felt originally endowed with authority to carry out this execution, need be set aside. But live, as this principle now begins to live in the international society of these times, it did *not* at the time of Grotius' generation.

No, this portion of his book will have been otherwise, more narrow-mindedly, more prudishly, received. The admiration, which his work

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universally met with, is perhaps the proof of this. Only an occasional great man, like Grotius himself, could in those times grasp the significance of his ideas; for the multitude they must have appeared foolishness, if not worse. Has it not however been frequently the case, that what had been formerly termed foolishness has led to new aspects and ideas for later times?

Holland has been called, to use a more or less familiar phrase, the land of Grotius. This honor would be too great, if it only bore reference to the fact of Grotius having been born in Holland, for no country repudiated him more bitterly during his life than Holland. Precisely, however, in connection with the significance of Grotius' labor for international society, this term comes to stand in a special light. For, be it said in all humility, it need be termed no accident, that it was a Hollander who, in the course of the seventeenth century, more or less discovered international law, established incontestably that, unseen and unnoticed perhaps, regulations existed between the nations, which were more or less closely observed. The Hollanders were the most cosmopolitan nation of that century, the settlements established by them, not only in the far-distant East Indies, but also in Africa and America, are indications thereof. The Hollanders were the "skippers of Europe," who carried the products of the Scandinavian countries to the Mediterranean, and vice versa. So well did the Hollanders understand the role of "skippers," that at a time of the most bitter struggle with Spain, they supplied the enemy direct, in order to prevent the latter from seeking for themselves the way, along which the trade of the Hollanders was carried on. Phillip II, the strictly orthodox King of Spain, did otherwise; closed to the Hollanders his market for Indian spices at Lisbon, thus compelling them to discover the way to India and thereby establish their colonial wealth. For whom should the certainty of the existence of an international law, of regulations alike applicable to states and individuals, have more value and be of more importance than for the Hollanders?

The youthful Hugo Grotius, who, when hardly twenty years of age, in 1604, was charged by the powerful East Indian Company with the task of tracing out the principles of prize-law, in connection with the capture by the company of a Portuguese vessel in the East Indian waters—he, the so youthful jurist, established in his "*Jure praedae*" the foundations for his later, more comprehensive work. Curiously enough that book, written for the East Indian Company, remained—with the exception of the chapter on the "*Mare liberum*"—in manuscript,

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until discovered by chance, in the latter half of the nineteenth century, at an auction sale in Holland, when it was printed by the efforts of Hamaker of Utrecht. Grotius, living in the midst of this sea-faring people, brought up amongst the international trade of the Hollanders of those days, ought he not to have had a keener vision than a jurist of any nontrading, noncosmopolitan country? We would not be suspected, of trying to make out that he artificially designed his "*De jure belli ac pacis;*" that what appears therein did not live in his soul and mind. No, what Grotius gave therein, was self-expression; but the wealth of material presented there, welled-up—possibly, probably—from the experience of the international commercial life around him.

Grotius' lasting importance was also in part established by the form of his "*De jure belli ac pacis.*" He trusted in, he believed in the creation, which was his own. Grotius had no need of a states organization, artificially built up, in order to prove the vitality of the forms shaped by him. He had within himself the conviction that the transfer of the natural law to the states, which he permitted himself, possessed life, although its development had yet to come. A states organization, necessary for the consolidation of the international law discovered by him, he was not able, nor was it necessary for him, to consider. He saw the international law before him, as he endeavoured to cause his contemporaries to see it; and his conviction must indeed have been deeply-rooted, that this international law would of itself create the organization of states.

Grotius trod the path, which, just two and a half centuries after his death, was for the first time trodden anew by the first of the Peace Conferences at The Hague. These Peace Conferences commencement of what is termed "the work of The Hague," had yet, in the sphere of public law, the same task as the important conferences preceding them, for international private law, had in the sphere of this private law. They aimed at creating law between the states; to place a foundation of law, in the place of the support, wavering between might and right, which had hitherto been afforded. Had the war not prevented the third of these Peace Conferences, it would, on a broader basis than had hitherto been the case, have taken in hand this, its first task, no longer, in the main, on the territory of war law. A close connection is seen between Grotius and these Peace Conferences. Especially so, if one considers that the League of Nations, which was at first of opinion that the task of enlarging, deepening, widening of the law sphere, on which it would have to be supported, would accrue of itself from its

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operations, has now entrusted to a specially qualified international commission—the task of taking in hand this enlarging, deepening, widening of the law. Law, as we all know, originates gradually and in connection with circumstances and the progress of ideas. Law is not made, but for the attaining of the codification of existing law, the progress and development of law should be closely observed.

Anyone desirous of demonstrating that international law, in a limited sense, existed before Grotius took pen in hand for his "*De Jure belli ac pacis*," has an easy task. The Middle Ages already knew the "*Consolato del mare*," originating again in the Mediterranean, centre of seafaring kingdoms of that time: Genoa, Venice, etc. But that is not the question. The question is, as to whether Grotius created something, that permanently impressed its stamp on the development of international society, and the ideas which dominated and still dominate it. This question can not be answered otherwise than in the affirmative. Grotius' admirer, The Palatine Elector, established, in honor of his work, a special professorial chair at one of the oldest universities, Heidelberg. It was the first professorship for substantially independent international law. That the first professor to occupy it should have turned aside from the fundamental principles of Grotius, in the direction of a positive law, which recognized as international law only what existed in treaties and, if need be, in universally accepted customs and writings, and which would thus in consequence cut off the breath of life from the development of international law, was no fault of Grotius. The significance of Grotius' principle was not thereby stifled although, as the characteristic phrase of our compatriot Van Vollenhoven puts it, part of the eighteenth century threw a layer of ashes over it, covering up Grotius' work.

Thanks partly to America, the great value of Grotius' labors has come clearly into the foreground and at this moment, on the eve of new days with regard to the forming of international ideas and aspects, it is clearly apparent. Grotius should not be reproached for transplanting the natural law of those days from persons to states; neither should it be made a matter of reproach, that he kept his international law in general provisions and principles, not attaching thereto a creation such as that of a states organization. He wrote his book on "*Jure praedae*," laying down therein principles, respecting the waging of war at sea, which we do not even at present fully accept, being as they are in conflict with the principle—already long applauded mentally—of inviolability of private property in maritime warfare. Yet one does not find

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in Grotius' book on prize-law any proposal for establishing the Prize Court, as in our time, in 1907, was adjudged necessary, useful and possible. This does not imply, that Grotius' work would not also have imprinted its stamp on the development of these ideas, had this "*Jure praedae*" become more the common property of the science of international law. Just as it is well-established that, despite the codification of war regulations being first taken in hand in the American Civil War, Grotius may be pointed out as the father of the idea, that, no matter by whom a war may be commenced, for both parties like obligations, like laws exist.

In later times, when the afore-mentioned Lacroix and the Abbé de St. Pierre will have been long forgotten. Grotius will be held in remembrance. Gentili, Vittoria and Suarez may perhaps be borne in mind, but only as forerunners of Grotius. We are striving for a society of states, which however is not possible, without the law upon which it should be established. That law, the existence of that law, Grotius discovered; he did not of course create it, for law is not created. That law was, thanks to his discovery, developed, and the fact that this development has proceeded slowly is no reproach to Grotius, but a reproach to history, especially so to that of old Europe, that did not in sufficient measure take to heart the lessons, submitted by Grotius in his book. May the general commemoration, on the occasion of the Tercentenary of publication of his book, prove to be an indication, that not his work alone, but also the spirit of this work will be brought into practice and development, and may 1925 be also in this respect the breaking of a new dawn!

H. Ch. G. J. van der Mandere.

The Hague.

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NEWS AND NOTES

Personal and Miscellaneous

EDITED BY FREDERIC A. OGG

University of Wisconsin

A meeting of the Executive Council and Board of Editors of the American Political Science Association was held in New York on September 8, during the session of the National Conference on the Science of Politics. Progress reports of officers and committees were received, routine business was transacted, and a committee to nominate officers for 1926 was appointed as follows: Isidor Loeb, Washington University, Chairman; John A. Fairlie, Victor J. West, R. E. Cushman, and R. D. Leigh. A full report of the third annual meeting of the Conference on the Science of Politics will appear in the February issue of the Review. It is expected that preprints will be available late in December.

As announced in the previous number of the *Review*, the twentieth annual meeting of the American Political Science Association will be held in New York City December 28–30. Headquarters will be maintained at the Hotel Pennsylvania, but practically all of the sessions will be scheduled for rooms in the buildings of Columbia University. The program committee, of which Professor A. N. Holcombe is chairman, plans to make a special feature of the round tables, which will occupy the three forenoons of the meeting. There were six of these last year. This year there will be eight, with chairmen as follows: (1) Administration of Criminal Justice, Raymond Moley; (2) Comparative Government, Walter J. Shepard; (3) International Law, Charles Cheyney Hyde; (4) Municipal Administration, Luther H. Gulick; (5) National Administration, W. F. Willoughby; (6) Political Parties, P. Orman Ray; (7) Public Finance, John A. Fairlie; (8) Public Opinion, Robert D. Leigh. Members planning to attend are urged to communicate with the chairman of the round table in which they are specially interested. A luncheon meeting will be devoted to "travel talks" by members of the Association who have recently been abroad; another, to reports on the work of the National Conference on the Science of Politics; and a third,

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to a review of Canadian politics by Canadian speakers. There will be a session on problems of method in political science; another on methods of teaching political science, with particular reference to the introductory course; and a third on the subject of the codification of international law. A joint meeting with the American Sociological Society will take up regional planning, with special reference to New York City, and a dinner meeting with the American Economic Association and the American Association for Labor Legislation will be addressed by Sir William Beveridge, of the London School of Economics and Political Science. The addresses of Presidents Charles E. Merriam of the Political Science Association and Allyn A. Young of the Economic Association will be delivered at a joint session of the two organizations. The customary arrangements for reduced railroad rates seem to be assured.

Professor Bruce Williams of the University of Virginia has been granted leave of absence for the session of 1925–1926 for the purpose of travel and research in Europe. During the absence of Professor Williams, his courses in political science will be conducted by Professor K. C. Frazer of the University of North Carolina.

Mr. Landreth Harrison, who has been studying for the last two years at the college of law of the École Libre des Sciences Politiques, Paris, has been appointed an instructor in political science at the University of Minnesota. Mr. Ford P. Hall, B.A., B.C.L., Wadham College, Oxford, has been appointed to a part-time instructorship in the same institution.

Dr. Nicholas J. Spykman, formerly assistant professor at the University of California, has accepted a similar appointment at Yale University and is conducting graduate courses in political theory and international relations. He spent the past summer in China. Professor Edwin M. Borchard has returned from the University of Berlin and has resumed his courses in public law at Yale.

Professor Edwin Cottrell, of Stanford University, is on leave of absence for the year and will spend most of the period in the East.

Mr. J. G. Maytin, an instructor in political science at the University of Texas last year, is now studying at the Brookings Graduate School in Washington.

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Professor H. B. Chubb has returned to the University of Kansas after a year of graduate study at Columbia University. He gave courses in political science during the second half of the summer session at the University of Texas.

Mr. A. D. McLarty, formerly secretary of the Illinois Municipal League, has been appointed instructor in political science and secretary of the municipal reference bureau at the University of Kansas.

Mr. Geddes W. Rutherford, formerly of Grinnell College, is now associate professor of political science at Iowa State College of Agriculture and Mechanic Arts.

Dr. Waldo Schumacher, formerly of Syracuse University, has accepted a professorship of political science at Grinnell College.

The Robert Brookings Graduate School of Economics and Government held its first commencement on September 18, when the degree of Ph.D. was conferred on ten persons. The address was given by Professor Charles E. Merriam on the subject "Majority Rule."

The staff of the school of citizenship and public affairs at Syracuse University includes the following new members this year: in political science, Professor Charles McKinley, of Reed College, Professor J. H. Toelle, formerly of the University of Maine, and Professor Lewin Rochow, who recently received his doctor's degree at the London School of Economics and Political Science; in public administration, Mr. Clarence E. Ridley, former city manager of Bluefield, W. Va.; in social psychology, Mr. Dale A. Hartman, former graduate student at Harvard and Syracuse; in economics, Professor H. W. Peck, of the University of Vermont.

Dr. C. P. Patterson has been promoted to a full professorship and to the chairmanship of the department of government at the University of Texas. Mr. B. F. Wright, Jr., who received his doctor's degree at Harvard in June, and Mr. Irvin Stewart, recently engaged in graduate work at Columbia, have been advanced to the rank of adjunct professor of government; Dr. J. E. Pate has been appointed, and Mr. R. C. Martin has been advanced, to an instructorship in government at the same institution; and Mr. Frank M. Stewart, adjunct professor, has

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been granted leave of absence to do graduate work at the University of Chicago.

Brown University began on July 1 of this year a three-year study of ethnic factors in community life. The study was made possible by a grant from the Laura Spelman Rockefeller Foundation, and is being conducted by Mrs. Bessie Bloom Wessel under the direction of a committee composed chiefly of members of the university departments of social and political science, economics, and history. The project emphasizes the community as the research unit. It plans a study of racial composition and of racial and cultural fusion, and the development of a center for research in racial problems. At present Mrs. Wessel is engaged in an investigation in Stamford, Connecticut with the coöperation of Dr. B. A. Meredith, commissioner of education for Connecticut, and Mr. William E. Stark, superintendent of schools of Stamford. The main study will later be made in Rhode Island, concentrating on the city of Providence.

Between June 30 and July 18 the Harris Institute of the University of Chicago devoted itself to intensive study of the Far East. The Harris Institute was founded by Norman Wait Harris in 1923 for the "promotion of a better understanding on the part of American citizens of the other peoples of the world, thus establishing a basis for improved international relations and a more enlightened world-order." Its first meetings were held last year and dealt with sundry problems of Europe. This past summer it had to do only with the Far East, and its field was even further narrowed to China and Japan. It is probable that Latin-American questions will be taken up next year. The plan of the Harris Institute, which is conducted in connection with the department of political science of the University of Chicago, is similar to, but not identical with, that of the Institute of Politics at Williamstown. A much smaller group of people are invited to attend, and instead of the membership being divided into six or more round-tables, each under a continuous leader, all meet as one round-table under different leaders. The round-table sessions are held in Harper Memorial Library in the evening. Preceding them the members dine together at the Quadrangle Club. Besides the round-table meetings, there are lectures by the round-table leaders to which the general public is invited, and which are specially intended for the students of the summer session. Also in the regular summer session, courses are offered in subjects in the field of the Insti-

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tute's special interest. Professor Quincy Wright, executive secretary, secured three foreign speakers and three American lecturers for this year's meetings. Count Michimasa Soyeshima of Tokyo, until recently a member of the House of Peers, and an authority on Japanese diplomacy, lectured on the domestic and foreign problems of Japan. Dr. P. W. Kuo, president of Southeastern University at Nanking, China, and Mr. H. G. W. Woodhead, C. B. E., editor of the *Peking and Tientsin Times* and of the *China Year Book*, presented alternative views of China's internal unrest and her relations with other powers. Mr. Julean Arnold, American commercial attaché at Peking, lectured on "China's Economic Resources," and Mr. H. K. Norton, author of *The Far Eastern Republic of Siberia*, dealt with the topic, "The Russians in the Far East." These lectures will be published during the winter by the University of Chicago Press. They were delivered in Mandel Hall in the afternoons and attracted large audiences.

Special courses on Far Eastern politics were given by Professors Harold S. Quigley, of the University of Minnesota, and Frederic A. Ogg, of the University of Wisconsin. The latter delivered the convocation address at the close of the summer quarter on the subject "New Tests of Representative Government."

Henry Jones Ford, *emeritus* professor of politics, in Princeton University, died at Blue Ridge Summit, Pennsylvania, August 29, after an extended illness. He had just turned his seventy-fifth year, being born in Baltimore, August 25, 1851. His teaching career was the second in which he rose to prominence, and was preceded by his career as journalist.

Graduating from Baltimore City College at the age of seventeen, he became an editorial writer for the *Baltimore American* four years later. Subsequently he held in succession the following editorial posts: City Editor of the *Baltimore Sun;* managing editor of the *Baltimore American* (1875–1879); editorial writer for the *New York Sun* (1879–1883); editorial writer for the *Baltimore Sun* (1883–1885); managing editor of the *Pittsburgh Commercial Gazette* (1885–1895); managing editor of the *Pittsburgh Chronicle Telegraph* (1895–1901); editor of the *Pittsburgh Gazette* (1901–1905).

Of the volumes on political history and government which later brought him his chief reputation, the first was published through the Macmillan Company in 1898. This was *The Rise and Growth of American Politics*, which was the fruit of reading and reflection "out of hours"

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through many years. Issuing from an unacademic course, its importance was not recognized at first, but when appreciation dawned it waxed rapidly. In 1906 Mr. Ford was invited to lecture on political science in Johns Hopkins University, and two years later was offered a professorship in politics at Princeton University by President Woodrow Wilson. His association with Mr. Wilson also brought him, in 1912, the post of commissioner of banking and insurance; and a year later, after Mr. Wilson had become president, a confidential mission to Philippines, in the performance of which he is understood to have rendered a report on governmental conditions in those islands, though this has never been published. From the same source he received in 1920 an *ad interim* designation as a member of the Interstate Commerce Commission; but owing to the *impasse* which had developed between the President and the Senate the appointment was not confirmed.

During the same period Professor Ford was constantly employing his pen. Besides a great number of articles, he published the following volumes: *The Cost of our National Government* (1909); *The Scotch-Irish in America* (1915); *The Natural History of the State* (1915); *Woodrow Wilson, the Man and his Work*—primarily a campaign biography (1916); *Washington and his Colleagues* (1918); and *The Cleveland Era* (1919)—the last two of these volumes appearing in the Chronicles of America Series; *Alexander Hamilton* (1921); and *Representative Government* (1922).

As an editor Professor Ford had come to appreciate the great importance of the problem of control of public expenditure, and his interest in this subject led him naturally to an investigation of the broader and more fundamental problem of the proper relation of executive and legislature in a constitutional government. On this point his creed was the one confirmed by the entire course of English constitutional history, that the business of governing is executive and the rôle of the legislature that solely of criticism and control. All the chief faults of government in the United States he traced to a common rootage in a false interpretation of democracy whereby, in the language of fable, the donkey has been encouraged to put his feet in the stirrup. Although Professor Ford found his ideal of governmental structure most nearly realized in the British cabinet system as depicted at the height of its development by Bagehot, yet as early as 1898 he had detected signs of its impaired efficiency which have since become manifest to even casual observation. The strongly entrenched

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office of President he therefore deemed a much securer basis for a democratic government dominated by the principle of efficient public service, could the historical tradition illustrated in the British system but be recovered for our own people.

Although he was reared in the *laissez faire* traditions of the Democratic party, and indeed remained a voting member of that party to the end of his life, Professor Ford was in essential outlook a thoroughgoing Hamiltonian—one who, moreover, had read and pondered his Darwin. He held that the best approach to the problems with which our closely articulated society confronts the modern student of government was that afforded by the notion of society as an organism. Nor does he anywhere in his writings manifest much interest in problems of constitutional limitation. The sole limit to the serviceability of government is that set by its efficiency.

Among Professor Ford's volumes two stand preëminent, the first and the last. *The Rise and Growth of American Politics* was a pioneer work in the history of party politics in the United States and performed the distinctive service of setting forth for the first time the reciprocal reaction of party organization and governmental structure upon one another in this country. The work is also remarkable for its prophetic anticipation of the rôle for which the presidency was soon to be recast by Roosevelt and Wilson. That both these men were influenced by this volume in which interpretative insight finds expression in some extremely good writing, seems altogether likely. The recent *Representative Government* brings John Stuart Mill's famous essay down to date. For readiness of pertinent illustration and power of sustained analysis it would be hard to match.

But upon all of Professor Ford's writings will be discovered the stamp of a philosophic and ruminative mind, nourished on the historical tradition of its science, and operating upon a wide range of materials, the harvesting of omnivorous reading. Ford had, moreover, a freshness of style, a heritage from the editorial sanctum but purged of editorial diffuseness, which enabled him to convey to his readers his own warm interest in his subject, first-hand and unimpaired. Stylistic skill supplies the place of personal presence in his pages to a rare degree. The same qualities were of course brought to his teaching. Students and colleagues alike found him a constant source of stimulative ideas and a conversationalist of rare charm.

Professor Ford was president of the American Political Science Asso-

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ciation in 1918 and 1919, and was subsequently president of the Catholic Historical Society.

EDWARD S. CORWIN.

Princeton University.

Non-Voting in a Typical Ohio Community. The investigation which is described in the following paragraphs was first suggested by a plea made by Professor Merriam at a meeting of the American Political Science Association for a more careful statistical study, and a more detailed analysis, of various units of the body politic. It was further stimulated by the report of Professors Merriam and Gosnell on the study of non-voting made in the city of Chicago which report is published in book form under the title *Non-Voting*.

This study, however, differs somewhat from that made in Chicago as to method and purpose. In the Chicago survey only non-voters were studied and the chief aim was to discover why the non-voters absented themselves from the polling-booth. In our investigation data were gathered, as far as possible, on all the persons entitled to vote in the city of Delaware, Ohio, for the purpose of discovering if possible the variations in the percentage of non-voting according to age, race, sex, occupation, education and so forth.

It should be clearly understood that this is not presented as a comprehensive and conclusive study. On the contrary the writer clearly recognizes that to attach great importance to the conclusions reached would not only be unscientific but provincial. Nevertheless, it is believed that the microscopic study of political units has value. While no one is ready to say that a given community is as likely to be typical of all communities, as a given cell of a plant or an animal is typical of other cells in the organism, it is perhaps true that there is enough similarity to warrant the statement that if enough communities are studied we may generalize, on a statewide, or even a nationwide basis. If a large number of local units were studied for facts on voting and non-voting it might be safe to draw general conclusions, and the results of this survey are presented in the hope that it may suggest similar studies in other localities.

The community studied is the city of Delaware, in central Ohio, with a population according to the 1920 census of 8756, and a fairly typical Ohio community. That it is a college town does not necessarily keep it from being typical. Ohio has so many colleges that one can say, without being more than half facetious, that an Ohio town

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must have a college in it in order to be typical. The only effects which the presence of a college has upon our study are: (1) a higher percentage of persons among the voters who have attended college; (2) a few more students—the number of student voters is small as most students do not vote in Delaware—; and (3) a larger percentage of teachers than is usually found in communities not containing a college or university.

The first step was to collect information regarding a large number of persons eligible to vote. The following data were secured on each voter, by personal interview with the voter himself or with members of his family; native born or naturalized; parentage, native, mixed or foreign; length of residence in the community, sex, age, race, marital condition, family relationship, occupation, type of neighborhood, type of dwelling, ownership of home, education, and religious affiliations. Altogether 4390 voters were interviewed, personally or through members of the immediate family, which means that nearly half of the population of the municipality was surveyed. The information was secured through the personal solicitation of undergraduate students in political science. A group of advanced students under the constant supervision of the instructor was placed in charge of the interviews in each precinct. The student solicitors were cautioned not to be unduly aggressive in asking for information, so it happens that under every item a limited number of blanks are found. This will account for the fact that in no item, except sex, does the total used in the calculations reach 4390, the total number actually solicited.

After the solicitation had been completed the data sheets of voters were separated from those of non-voters on the basis of the official poll books of the election of November 4, 1924 and the results tabulated under the following heads.

Nativity. Under this item the persons solicited were classified as native-born and naturalized. No appreciable difference in attendance at the polls was noted as between these two classes. 64.8 per cent of the native born voted while 64 per cent of the naturalized eligibles exercised the right of suffrage. The significance of these figures is lessened by the fact that only 114 of those studied are listed as naturalized.

Parentage. This part of the investigation revealed the interesting fact that those of foreign parentage (70.3 per cent voting) outranked those of mixed (69.1 per cent voting) or native (64.8 per cent voting) parentage, with those of mixed parentage a close second. The greater

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interest among those of foreign parentage is not due, as is often the case in the larger cities, to the greater docility of the foreigner in the hands of the bosses. In fact the great majority of those of mixed or foreign parentage are themselves native-born and completely Americanized.

Term of residence in the city. Comparisons under this head were made only between those who had resided in the city two years or less and others. All those who were counted as having two years (or less) residence were eligible to vote in the November election. As might be expected, those of longer residence had a much better record (65.9 per cent voting) than those whose term of residence was less than two years (48.6 per cent voting). Over ninety per cent of the subjects had resided in the city more than two years.

Sex. Men were decidedly better voters than women, the latter showing a voting percentage of 57.1 per cent as against 72.9 per cent for the male voters. Perhaps the percentage for women is slightly too high. In the house to house canvas it was easier to find the non-voting women than the non-voting men, and of the non-voters not interviewed it is likely that the roomers, boarders and others that were missed included more men than women. Perhaps a slight downward correction for the men and upward correction for the women of the percentage of voting should be made.

Age. Six groups were formed on the basis of age, the twenties, the thirties, the forties, the fifties, the sixties and those seventy or over. On the basis of the voting record the group in the sixties, to which 490 individuals belong, ranked first with 81.2 per cent. This remarkably high voting record, was not approached by any of the other age groups, the nearest being the fifties with a voting percentage of 69.8 per cent. Not far behind the fifties came the forties with 64.9 per cent and the thirties with 64 per cent. Still farther down, and lower than any other age group except that of seventy and over, was the group in the twenties with 59.1 per cent, those seventy and older having a voting record of 56.5 per cent. Outside of the oldest group, where the infirmities of age no doubt contributed to absence from the polls, the interest in suffrage seemed to increase with age, the youngest group having the least creditable showing and those in the sixties by far the best record. There may be a small percentage of error under this head, as in some cases the ages were estimated, but these errors are likely to be compensating.

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Race. About 95 per cent of the persons solicited were white and 65.0 per cent of the whites voted. Of the 236 colored people interviewed, 50.4 per cent cast their ballots.

Family relationship. Under this head the persons solicited were classified as head of family, wife, son, daughter, parent (including parents-in-law), brother or sister of family head, boarder and roomer. As might be expected the family head who in most cases is also the husband and father had the best record (71.7 per cent) under this grouping. The wife had a much lower record than the sons and daughters. Comparatively low was the record of roomers and boarders, indicating that unmarried persons staying at home are better voters than those living away from home. This is, of course, not necessarily due to living at home. If may result from the migratory and transient nature of the boarders and roomers rather than from the influence of home upon those who are living under the paternal roof. The worst record in this group was made by the people who are making their homes with sons or daughters. The voting percentage of this group was practically the same as that of all persons seventy or more years of age, but very much lower than those in the sixties, and the indications are that elderly persons living with sons or daughters are not likely to vote as generally as the average persons in their age group.

Marital condition. About three-fourths of those interviewed are married, and the percentage of voting was higher among married than among single persons.

Type of neighborhood. The prevailing impression that those living in the less desirable parts of the community are more likely to exercise their suffrage rights than the residents of other sections is not substantiated by the figures of this study. The persons studied were divided on the basis of the type of neighborhood into very good, good, fair and poor; and the ranking on the basis of voting percentage is in the same order, 74 per cent of those from the very good neighborhoods voting, while only 44.5 per cent of those from the poor neighborhoods exercised the franchise right. In a city like the one studied, there is, of course, less likelihood of the local bosses exerting as much influence over the poorer classes as would be the case in the larger cities. At any rate, as far as this one election in this one community is concerned, it is clear that the standard of citizenship, at least as far as voting is an indication, increases with the standard of living as far as such

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standard may be based on the type of neighborhood in which one resides.

Type of dwelling. This item has very little significance, for in a community like Delaware only a very small percentage of the voters reside in other buildings than the family dwelling houses and there is little social or economic distinction between the various types.

Ownership of home. Under this head the persons studied were divided into two classes, (1) those who lived in homes owned by the head of the family occupying the same, and (2) others. The individuals were not classified into those who were and those who were not home owners, which would have made the figures a little different. It seemed fair, however, to list those voters who as sons, daughters, brothers, sisters or parents, and, of course, the wife of the head of the family who owned his own home, lived in the home, as a part of the group living in owned homes. The investigation shows that those living in owned homes voted much better (68.9 per cent) than those who were listed as tenants (57.8 per cent). A large proportion of the families in the city (nearly two-thirds) live in owned homes.

Education. The figures under this head show the effects of education on voting. As the amount of education increases the percentage of voting increases also. In interpreting these figures it should be remembered that the college list includes not only college graduates but all who have done any college work; that the high school list includes all those whose school days terminated during the high school years regardless of whether they were graduated, and that the elementary list includes all those who dropped out of the educational system before the secondary schools. Under such a scheme of tabulation, of course, the number of persons in the high school and college groups is much higher than if the list were limited to graduates. However, for the purpose of making comparisons between those who have enjoyed different grades of education these figures serve very well. Of those who have no school room training only 34.9 per cent voted; in the elementary group, 57.2 per cent; in the high school group, 69.6 per cent; and in the college group 78.1 per cent. As far as these data have any weight they indicate that education has a direct effect on good citizenship, at least from the standpoint of interest in suffrage.

Religious affiliation. Of the several denominations which show fifty or more members among the persons solicited, the Episcopalians rank first, with the Presbyterians, the Catholics, the Reformed, the

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Methodists, the Lutheran and the Baptists following in the order named. The Baptists included a large percentage of colored persons. Of those with smaller representations, the Jews and the Christian Scientists showed a high percentage of voting. Under the general head "protestant" are listed 195 persons who gave their affiliations as such without designating sect. Champions of church affiliation may find comfort in noting that those without affiliation had a very low voting record. The unusually large number of Methodists is probably due to the location in the community of a university conducted under the auspices of that denomination.

Occupations. Those engaged in public service, which class is made up almost entirely of public officials, including policemen, firemen, mail carriers as well as other public officers and employees, took first place with a percentage of 88.1. The excellent showing made by the members of this group is partly due, no doubt, to their interest in public affairs. The fact that the group is made up almost entirely of men, most of them neither old nor young, would further explain the high percentage, as our figures show that women vote less generally than men and that persons in the twenties and in the seventies have a poor voting record.

Following closely upon those in the public service were: business executives, banking, real estate, insurance and college teachers. The only other occupational group which voted over eighty per cent was that of the railroad and traction employees. The comparatively high record in this group may also be explained by the absence of women and of young and old voters.

Merchants, professional men, public school teachers, salesmen and clerks, agriculturists, carpenters and painters make up the group of occupations whose voting records were between seventy and eighty per cent. The low record of public school teachers as compared to college teachers may be accounted for, in part at least, by the larger number of women among the former.

Those showing a voting record between sixty and seventy per cent were: clerical occupations, including bookkeepers and stenographers; machinists and mechanics; laborers; and those engaged in domestic and personal services. The largest group of all—housekeepers—with 1859 persons, showed a very low voting record, (55.6 per cent) and this may be explained by the low percentage (57.1) of women generally.

The various groups of occupations have been arranged according to the classification of gainful occupations used by the federal census

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bureau. Only one class used by the bureau—the extraction of minerals—had no representatives in the community studied. Ranked in order, on the basis of interest in suffrage, the various classes stand as follows: (1) public service, 88.1 per cent; (2) professional service, 78.3 per cent; (3) trade, 77.3 per cent; (4) agriculture, 71.2 per cent; (5) clerical occupations, 69.4 per cent; (6) transportation, 68.1 per cent; (7) manufacturing and mechanical industries, 66.8 per cent; (8) domestic and personal service, 60.4 per cent. Two groups, housekeepers and students are not listed as gainful occupations.

General summary. The average voting percentage for the community is about 64 per cent, which is considerably higher than the average for the country generally. The most unsatisfactory voting records were found among (1) women, (2) colored persons, (3) voters under thirty years of age, (4) voters past seventy years of age, (5) roomers and boarders, (6) residents of the poorer neighborhoods, (7) those living in rented homes, (8) those with little or no education, (9) those with no church affiliation, (10) persons who have come to city recently, and (11) certain occupations. To generalize from this one study would be, as previously stated, dangerous and unfair; but if other studies should substantiate these findings we should have a basis for beginning the work of increasing the percentage of participation in public elections. It is largely in the hope that this report may stimulate further studies in other localities, so that interesting and valuable comparisons may be made, that these tables and the accompanying comments have been prepared for publication.

BEN A. ARNESON.

Ohio Wesleyan University.

Comparison of voters and non-voters

	NUMBER			PERCENTAGE	
	Voters	Non-voters	Total	Voters	Non-voters
Nativity					
Native born	2,736	1,489	4,225	64.8	35.2
Naturalized	73	41	114	64.0	36.0
Parentage					
Native	2,261	1,230	3,491	64.8	35.2
Mixed	154	69	223	69.1	30.9
Foreign	308	130	438	70.3	29.7

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Comparison of voters and non-voters

	NUMBER			PERCENTAGE	
	Voters	Non-voters	Total	Voters	Non-voters
Term of residence in city					
Over two years	2,616	1,352	3,968	65.9	34.1
Two years or less	151	160	311	48.6	51.4
Sex					
Male	1,467	546	2,013	72.9	27.1
Female	1,357	1,020	2,377	57.1	42.9
Age					
21–29	491	340	831	59.1	40.9
30–39	577	325	902	64.0	36.0
40–49	563	304	867	64.9	35.1
50–59	593	256	849	69.8	30.2
60–69	398	192	490	81.2	18.8
70 and over	175	142	317	56.5	43.5
Race					
White	2,680	1,446	4,126	65.0	35.0
Colored	119	117	236	50.4	49.6
Family relationship					
Head	1,364	539	1,903	71.7	28.3
Wife	874	653	1,527	57.2	42.8
Son	161	76	237	67.9	32.1
Daughter	189	96	285	66.3	33.7
Parent	34	45	79	43.0	57.0
Boarder	25	32	57	43.9	56.1
Roomer	56	51	107	52.3	47.7
Brother or sister	31	23	54	57.4	42.6
Miscellaneous	46	26	72	63.9	36.1
Marital condition					
Married	2,142	1,116	3,258	65.7	34.3
Single	666	432	1,098	60.7	39.3

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Comparison of voters and non-voters

	NUMBER			PERCENTAGE	
	Voters	Non-voters	Total	Voters	Non-voters
Type of neighborhood					
Very good	462	146	608	74.0	26.0
Good	1,224	587	1,811	67.6	32.4
Fair	809	521	1,330	60.8	39.2
Poor	204	254	458	44.5	55.5
Type of dwelling					
House	2,468	1,337	3,805	64.9	35.1
Apartment	117	73	190	61.6	38.4
Flat	25	13	38	65.8	34.2
Store	22	11	33	66.7	33.3
Ownership of home					
Yes	1,900	857	2,757	68.9	31.1
No	784	572	1,356	57.8	42.2
Education					
None	22	41	63	34.9	65.1
Elementary	1,124	840	1,964	57.2	42.8
High School	848	371	1,219	69.6	30.4
College	684	192	876	78.1	21.9
Religious affiliation					
Methodist	1,356	700	2,056	66.0	34.0
Catholic	280	100	380	73.7	26.3
Presbyterian	285	89	374	76.2	23.8
Lutheran	161	84	245	65.7	34.3
Baptist	138	108	246	56.1	43.0
Protestant	120	75	195	61.6	38.4
Reformed	92	40	132	69.7	30.3
Episcopalian	71	20	91	78.0	22.0
Jewish	11	3	14	78.6	21.4
United Brethren	24	18	42	57.1	42.9
Congregational	9	5	14	64.3	35.7
Christian	9	11	20	45.0	55.0
Christian Science	20	6	26	76.9	23.1
Quaker	5	2	7	71.4	28.6
Seventh Day Adventist	6	5	11	54.5	45.5
International Bible Students	2	5	7	28.6	71.4
Miscellaneous	19	38	57	33.3	66.7
None	166	189	355	46.8	53.2

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Comparison of voters and non-voters

	NUMBER			PERCENTAGE	
	Voters	Non-voters	Total	Voters	Non-voters
Occupations					
Agriculture	47	19	66	71.2	28.8
Manufacturing and mechanical industries					
Business executives, including contractors	55	9	64	85.9	14.1
Carpenters and painters	70	23	93	75.2	24.8
Laborers	308	180	488	63.1	36.9
Machinists and mechanics	84	45	129	65.1	34.9
Total	517	257	774	66.8	33.2
Transportation					
Railroad and traction employees	69	17	86	80.2	19.8
Drivers	29	29	58	50.0	50.0
Total	98	46	144	68.1	31.9
Trade					
Banking, insurance and real estate	48	8	56	85.7	14.3
Merchants	230	66	296	77.7	22.3
Salesmen and clerks	134	47	181	74.0	26.0
Total	412	121	533	77.3	22.7
Public service, including public officials	52	7	59	88.1	11.9
Professional service					
Professions, including medical, legal and clergy	74	19	93	79.5	20.5
College teachers	61	11	72	84.7	15.3
Public school teachers	74	28	102	72.5	27.5
Total	209	58	267	78.3	21.7
Domestic and personal service	58	38	96	60.4	39.6
Clerical occupations	50	22	72	69.4	30.6
Housekeepers	1,034	824	1,859	55.6	44.4
Students	66	17	83	79.5	20.5
Retired	77	35	112	68.8	31.2
No occupation	38	33	71	53.5	46.5

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BOOK REVIEWS

A. C. HANFORD
Harvard University

The New History and The Social Studies. By HARRY ELMER BARNES. (New York: The Century Company. 1925. Pp. xvii, 605.)

With the now popular alternative of educational omni-competence or social catastrophe as a hopefully shadowy setting, Professor Barnes addresses this ambitious survey primarily to "earnest and ambitious teachers of the social studies." In the large he proposes to explain the "new history" and then to indicate in successive chapters the mutual indebtedness, actual and possible, of history and the various social sciences.

Human welfare, our author argues, has heretofore been little furthered by historical research. Having acquired an accurate method, traditional history used it to glorify the trivial and to immortalize the irrelevant. To save scholarly energy from historical inanity, a new principle of selection and a resulting humanized content are necessary for history. It is upon the latter demand that emphasis falls. Now the various social sciences are precisely techniques for reconstructing the past. History without them is empty; they without it are blind. Their insight pooled, the social sciences can render the historian sensitive to, and fill history with, the rich content of full living. With geography to furnish a natural setting, psychology to explain collective action and reveal clues to individual motivation, anthropology to give a true institutional perspective; with sociology to provide a generous social orientation and a synthetic supplement to the genetic method, natural science and technology to represent a highly important, though much neglected, factor in social progress, economics to stand for perhaps the most fundamental single causative agency; with political science humbled into its minor and valid sphere, and ethics chastened,—with all these we can so exploit the past as to explain the present for the sake of a more humane future.

All in all this pretentious volume constitutes a generous and valuable survey of the recent literature of all the social sciences, without often

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becoming a mere string of book reviews. It suffers somewhat in scholarship from being a collection of revised papers and lectures. Emphasis does not demand all its repetition, and accuracy might be improved by less rhetoric than goes well in oral presentation. Moreover, it is doubtful whether history is the best vantage point for the enterprise envisaged. Temporal sequence, though always convenient for classification, is seldom profound as a *fundamentum divisionis*. Professor Barnes himself sees how impossible is the task that he lays upon historians, and so he is prepared—if so it turns out—to have history gradually assimilated as a methodological adjunct by each particular science. Only the sociologist would then remain to keep us whole. And a principle of interpretation is as essential for him as is a principle of selection for the historian. Professor Barnes' attitude toward ethics deepens a suspicion, born independently, that he does not adequately feel this crucial difficulty. He does not seem fully conscious of how great a multitude of prejudices such an honest-seeming pietism as "general welfare" can cover. But certainly his arraignment of traditional history may well give pause to us all. For history is not the only intellectual preoccupation that has grown so expert at the how as to lose all sane judgment as to the what. The only available corrective of this impetus toward sterility is a fellow-feeling broad and strong enough, in spite of intelligence tests and class interests, to count each person for one and nobody for more than one. Professor Barnes, like so many other modern students, has in this regard suffered—prematurely, it may be, at the hands of differential psychology. Not methodology alone, nor content either, can guide social studies fruitfully. An equalitarian sympathy is man's saving grace, and no scheme for social education can afford to forget it. May its nurture not be after all the primary function of education in a democracy?

T. V. SMITH.

University of Chicago.

Selections from the Correspondence of Theodore Roosevelt and Henry Cabot Lodge, 1884–1918. (New York: Charles Scribner's Sons. 1925. Two volumes. Pp. 546, 473.)

These two handsome volumes interest from quite different angles: They abound in the personal element that makes reading easy; they give us more than glimpses of two cultured, charming households; they disclose the characters of two of the most influential statesmen of our time; and they throw light on not a few of the eventful happenings in

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the third of a century ending with the World War. As source material for history they will rank high.

Few knew of the intimate relations between these two men. In the public mind they were of distinct types, quite inharmonious. One was thought of as austere, cold, self-contained, reactionary—a patrician; the other as warm-hearted, sympathetic, ebullient, revolutionary—the ideal of plebeians, if not one himself. It was not the first time that in personal estimate the public mind was wrong. These letters reveal a human Lodge, and a Roosevelt who had with him very much in common. Their relations were of the closest. Two such brothers in spirit can hardly be matched in the history of public life.

They wrote to each other with complete frankness and evidently with no calculation that their letters would ever be read by strange eyes. This gives confidence that in such a matter, for instance, as the break between Roosevelt and Taft there was none of the personal feeling that gossip told of at the time. To be sure, the real causes remain as much of a mystery as ever, for the letters will not show any judicious man what genuine and sufficient basis there was for the rupture that culminated in the bolt of 1912. The failure to get at the inside of this disaster is one of the few disappointments in these volumes. The historian, however, will find an offset in the disclosure of the circumstances relating to the peace treaty effected between Japan and Russia. For example, it will delight him to discover that in a letter from the White House, June 5, 1905, headed, "Confidential—Only you and Nannie [Mrs. Lodge] must see this," the President told the Senator that the Japanese Government had requested him to move for peace, stipulating that it should appear as if on his own initiative, and that they should not in any shape or way appear as asking it.

As a rule the things of historical interest are in Roosevelt's part of the correspondence, and indeed in all other respects it holds attention more. As Mr. Lodge made the selections, modesty doubtless led him to give his own contribution the subordinate place, and anyhow Roosevelt's personal characteristics made his the more revealing, the more interesting letters. He lived in the superlative mood. Hyperbole stimulates. Also it amuses, even though at times it may become fatiguing. If allowance be always made for this predominating figure of speech, much edification is to be had from the candid, caustic judgments that teem in these writings. Particularly will the reader find satisfaction in them if his own bent of mind is like that which marked Roosevelt, painted to

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perfection by himself in half a dozen words—"Heavens, how I like a positive man!"

ROBERT LUCE.

Washington, D. C.

The Crisis of Democracy. By MORITZ JULIUS BONN. (New Haven: Yale University Press. 1925. Pp. 103.)

The British Labor Movement. By R. H. TAWNEY. (New Haven: Yale University Press. 1925. Pp. 189.)

These lectures, delivered at the Institute of Politics at Williamstown last year, are interesting evidence of the state of liberal thought in Europe at the present time.

Dr. Bonn discusses government by conference (the parliamentary system), the theory and practice of violence (bolshevism and fascism with their milder prototypes), the disintegration of the state, and vocational parliaments. Perhaps the most suggestive interpretation of European (especially German) political psychology he offers is in describing the breakdown of the conception of the state. Regionalism was the first suggestion for retaining authority in the hands of the hitherto dominant classes; when that movement failed, "cutting off" functions from the state ensued. "A new creed of Cobdenism arose, aiming at a great restriction of the sphere of government. . . . For some time a theory of nonintervention in the sphere of economics was advocated as it had never been advocated before, demanding self-government for industry." The theory was applied in other directions as well; in executing the treaty and foreign affairs, in police matters and even national defence in the Baltic provinces. Dr. Bonn points out that "in Central Europe the classes who disassociated themselves from the state were the classes who had formerly ruled it." Governments were conducted by minorities using violence and intimidation instead of conference as their formula. This he considers the real crisis of democracy—the decline in the spirit more than a departure from the form of democratic government. The cure he offers is a cure of the soul rather than of the body politic.

Mr. Tawney's chapters deal with the history and present program of the British Labor Party as the exponent of the labor movement. Delivered during the period of its tenure of the government benches, they carry a note of confident optimism which the party's success warranted. Nor has its defeat lessened the validity of the optimism.

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But, persuasive as are Mr. Tawney's arguments for the program, it simmers down, under his skillful mixture of the ingredients, to a very mild and quite innocuous brand of reform. One wonders whether the M. P.'s from the Clyde would recognize it or the seven authors of *The Labor Party's Aims* would subscribe to it. It does not represent the opinion of the more radical wing of the party or the Trades Union Congress. In discussing nationalization, international affairs, education, and socialism, Mr. Tawney illustrates his dictum that "the important and difficult questions lie not on the plane of principle, but of expediency in any particular case, and can only be decided when the particular case arises." His picture was true for 1924, and for the party in office.

PHILLIPS BRADLEY.

Amherst College.

The Life of Abraham Lincoln. By WILLIAM E. BARTON. (Indianapolis: Bobbs-Merrill Company. 1925. Two volumes. Pp. xvi, 517, 516.)

In view of the numerous biographies and studies of Abraham Lincoln, it might be questioned whether a compendious two-volume life would contain enough new material to justify its publication. Within recent years, however, biographical studies have been undertaken from a new angle in which the psychological approach has been greatly emphasized. Strachey's *Life of Queen Victoria* and biographical studies of Gamaliel Bradford, to mention but two examples, illustrate how the psychological approach may reanimate material which has already been rather thoroughly exploited by earlier writers. Dr. Barton attempts the double task of showing "that the actual Lincoln was developed by his successive environments" and of presenting "a knowledge of the growing personality of Lincoln."

To the purely objective side of Lincoln's life:—the dates and facts of his career and the events with which he was associated—these volumes add little that is new. Certain disputed questions of fact are fully and carefully examined and some new material is brought forward to substantiate the conclusions reached. Especially is this true in dealing with the early life of Lincoln, and more specifically with the career of his grandmother, Lucy Hanks. This subject has been fully treated in the author's earlier volume, *The Paternity of Abraham Lincoln*, but the present volumes contain some new documentary material which alters the conclusions there set forth. In the chapters dealing with the ancestry, family and early life of Lincoln, Dr. Barton makes use of a significant mine of information, the records of the counties and the

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county court of Kentucky, and presents documentary evidence to substantiate his conclusions.

Since the book attempts to present a biography rather than a history of the Civil War and the administration of Lincoln, only about one-third of the two volumes is devoted to that phase of his career. In this treatment more stress is placed upon the development of the personality of the man and his reactions to the events with which he was concerned than upon the presentation and discussion of the events themselves.

Viewed as a study of the interaction of personality and environment, the volumes are of great interest. Dr. Barton qualified himself by early experiences, travel and research to portray sympathetically and understandingly the frontier environment of Kentucky in the first third of the nineteenth century, and the life in the small towns of New Salem and Springfield in Illinois in the second third. He attempts with success to analyze the thoughts, emotions and ambitions of Lincoln's contemporaries and to set forth the spiritual and material environmental background upon which Lincoln's character developed.

In the last two chapters Dr. Barton attempts to evaluate the personality of the President and his wife. Mrs. Lincoln is treated sympathetically, with no attempt to disguise her shortcomings or misfortunes. In the chapter on the President, Dr. Barton, drawing from the material discussed in the earlier chapters, presents a character and personality which does not differ greatly from that portrayed by other biographers. In fact, opinions will probably differ concerning the value of the last five chapters of the work.

EVERETT KIMBALL.

Smith College.

The World After the Peace Conference. By ARNOLD J. TOYNBEE. (New York: The Oxford University Press. 1925. Pp. 91.)

Survey of International Affairs, 1920–1923. By ARNOLD J. TOYNBEE. (New York: The Oxford University Press. 1925. Pp. xv, 526.)

These books by Mr. Toynbee are published under the auspices of the British Institute of International Affairs. *The World after the Peace Conference* is designed to be a study of the transition period from the work of the Peace Conference to the reconstruction of Europe under the peace arrangements of 1919. It is, therefore, described as an "epilogue" to Temperley's *History of the Peace Conference at Paris*, and as a "prologue" to the author's *Survey of International Affairs*. The book sets

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forth the general movement of history, the political map as it existed at the outbreak of the war in 1914; the world's political map in 1920–23; the international "horizon" as disclosed by the relations of states, the contact of civilizations, and the economic equilibrium; and the foreground. As a study in political transition, the book will serve a useful purpose in tying the general peace arrangements with the international events which have followed. The lack of an index detracts from its utility.

The *Survey of International Affairs, 1920–1923*, is a statement, analysis and discussion of international affairs growing out of the peace settlement of 1919, and of international situations which have arisen since the treaties were put into execution. The study is designed to treat, not of states, nor the British Commonwealth, nor of human affairs, but of the relations of states, and this has determined the inclusion and arrangement of the subject matter. The author first gives in brief but comprehensive form the discussions and results of the eighteen international "continuation" conferences following the Paris conference. He next discusses the League of Nations as an example of international government, pointing out certain results flowing from the meetings of the council and the assembly, and indicating the work of the International Financial Conference at Brussels in 1920. These chapters, taken together, form an account of the organization and work of the several instruments of international authority during the three years covered by the writer. The remaining parts of the book deal with international problems which have arisen in western Europe, eastern Europe, the Islamic world, tropical Africa, and the Far East and Pacific regions. The appendices include a letter of the former president of the reparations commission; documents relating to the union of Bessarabia with Rumania; the Franco-Polish and Polish-Russian agreements; the Little Entente treaties; and the Washington treaties. The value of the book is enhanced by the inclusion of maps of the Rhineland, the Baltic, the Danube, the Caucasus, the Far East, and the World on Mollweide's projection.

In discussing the relations of western European countries, the author has given attention to the status of Belgium and Luxemburg, and the administration of the Saar Basin by the governing commission under the League of Nations. The political questions between Germany and the allied powers embrace the execution of the treaty of Versailles, the occupied territory, and the military control and disarmament of the German Reich. The reparations problem is covered down to the

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occupation of the Ruhr basin by France and Belgium. The Eastern European situations cover a wide variety of subjects, such as the minorities' treaties, the Aaland island controversy, Polish questions, the reconstruction of Austria, the Corfù affair, the Danube question, and frontier matters. The section on the Islamic World deals with certain questions in North Africa, and the relations of Russia, Turkey, the Transcaucasian republics, British India, and Afghanistan. The section on Tropical Africa deals with the administration of mandated territories, and with measures of international control designed to improve the condition of the native. The part on the Far East and the Pacific deals with Russia, China, the four-power group consortium for foreign loans to China, and the settlements of the Washington conference.

The value of this important book lies in its purpose, and in the execution of that purpose. The writer and the Institute which has supported his work have no axe to grind and no point of view to urge and maintain. In these days of democracy in diplomacy, everyone who can speak or write with persuasion or conviction seeks to qualify as an expert on international affairs. It seems that the more spectacular and extravagant the claim, the more welcome it is to the masses. Ministers, politicians, popular lecturers, leaders of women's clubs, and a host of others, now discuss and settle international affairs with an authority and finality which overwhelm the expert trained in history, government, and law, and the administrator of foreign affairs, who are accustomed to arrive at conclusions through an orderly process of thinking, and whose reflections are governed by fact rather than by fancy. Such books as this will aid materially in retiring from the field of discussion the more articulate but less profound authorites, and in restoring that degree of sanity and common sense in the consideration of foreign relations which must obtain if democratic control is to succeed. Moreover, such facts as are so conveniently and authoritatively assembled by Mr. Toynbee must be mastered by the electorate and its leaders, or they will fail in learning the game of diplomacy.

These books should be on the desk of every speaker, writer, student, and citizen interested in international affairs.

CHARLES E. MARTIN.

University of Washington.

The Recent Foreign Policy of the United States. By GEORGE H. BLAKESLEE. (New York: The Abingdon Press. 1925. Pp. 368.)

The George Slocum Bennett Lectureship in Citizenship was estab-

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lished at Wesleyan University in 1918. The sixth series of lectures was delivered by Professor George H. Blakeslee of Clark University, and an alumnus of Wesleyan. The distinguished services rendered by the author to his government as technical adviser to the American delegation to the Washington Conference of 1921, and as a member of the commission of inquiry to prepare data for the American delegation to the Paris Peace Conference of 1919 make the lectures all the more significant. They seem to come from a man who has had a hand in the game, and not from one sheltered in a cloister. The lectures embrace the policy of the United States toward Europe; the Monroe Doctrine and related policies; recent developments in Pan-Americanism; coöperative action in the Far East; the question of Japanese immigration; and the future of American foreign policy.

These lectures bring together, within the compass of a small volume, the essential facts and principles of American foreign relations under the guidance of Secretary of State Charles E. Hughes. The book will serve one useful purpose generally passed over in these days of wholesale criticism of our foreign policy. It brings into bold relief the fact that the development of our foreign policy during the years of reconstruction has been significant, and the further fact that many of the statements and restatements of our policies as regards different regions of the world will have something of a permanent application. Our policies as regards Latin America, Europe, the Far East, and world peace have been redefined. Such redefinitions are all the more lasting because they have been made during peace times, and with a view to future peaceful relations. The international and constitutional situations growing out of the Spanish-American war made possible distinguished contributions to our international and constitutional practice by such men as Senator Root and William Howard Taft. The service of Secretary Hughes in working out difficult international situations following a bitter period of controversy is no less notable, and even more significant, in view of their world-wide application.

The author develops, through logic and fact, but not through design, the regional character of our foreign policy. Our relations with Europe, Latin America, and the Far East are governed by different policies which spring from different interests, but from the same ideals. As regards Europe and the League of Nations, we continue to support movements toward peace through independent action, and to deal with situations as they arise, without pledging action in advance of the contingency. In Latin America, we apply the Monroe Doctrine and interfere suffi-

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ciently to prevent the intervention there of strong creditor nations. We also coöperate in the development of Pan-Americanism. In the Far East we coöperate with the interested powers to remove the causes for war in the region of the Pacific Ocean, and to preserve to China and the nations of the world equal commercial rights in that country which has almost been dismembered by the powers.

This book will be welcomed by every student of foreign policy and every friend of world peace.

CHARLES E. MARTIN.

University of Washington.

La Politique de la Suisse dans la Société des Nations, 1920–1925. By WILLIAM E. RAPPARD. (Geneva: Editions Forum. 1925. Pp. 155.)

In this brief but comprehensive work Professor Rappard has presented "a first balance sheet" of the relations of Switzerland with the League of Nations. The number of these relations, all of them of real importance, is so great that there is some basis for the author's fear that his readers might experience in the end "together with a certain lassitude a feeling of intellectual confusion closely akin to vertigo." Even so there would remain the conviction that in spite of its diminutive size Switzerland has been an uncommonly active and useful member of the League of Nations. As a matter of fact, however, Professor Rappard has classified and ordered his extensive subject matter so well that it is not difficult for the attentive reader to form a clear conception both of the motives and actions of Switzerland as a member of the League. Following a brief first section devoted to Switzerland and the structure of the League there is a longer section on Switzerland and the functions of the League, the latter taking up in order the execution of treaties, international collaboration, and the maintenance of peace.

Naturally, many of the relations with which Professor Rappard deals are of interest primarily to Swiss readers. Because of the universal appeal of the League, however, some of them will attract general attention. Among the latter one may mention his exposition of the conditions which led Switzerland, upon entering the League, to safeguard its neutrality and to protect itself in the matter of armed intervention, conditions moreover which made themselves manifest in all the subsequent discussions of disarmament and in connection with the Protocol. Also Professor Rappard presents admirably the motives which have made the Swiss persistent advocates of the right of amendment of the League covenant, and which have caused them to favor the evolution of

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the League toward universality of membership. One must admire the wisdom of the Swiss policy, as he expounds it, in abstaining from interference with the Secretariat.

Professor Rappard makes it clear that at all times Swiss representatives in the Assembly have followed conscientiously the instructions given them by their home government. It is not so generally known as it should be that since 1921 the Federal Council has published the texts themselves of the instructions furnished to their delegates. On the other hand Professor Rappard does not hesitate to criticize frankly such errors as that made by the Swiss government when it appointed to the recent opium conference a representative of a certain firm in Basel which had been mentioned frequently in connection with seizures of narcotic drugs.

Many pages of Professor Rappard's book will appeal to foreign quite as much as to Swiss readers. His discussion (p. 141 *et seq.*) of the attitudes taken by the principal nations of the world at the inception of the League and more recently is admirable. In particular, American friends of the League will read this passage and many others not without a keen sense of regret at our isolation from the great constructive movement of the times in which Switzerland has played so worthy a part.

ROBERT C. BROOKS.

Swarthmore College.

Le Problème du Régionalisme. By HENRI HAUSER. (Paris: Les Presses Universitaires de France. 1925. Pp. xii, 176.)

This little volume is a suggestive addition to the "regionalist" literature to which the past half-century has given birth in France. Much of that literature was abstract and argumentative, written to support specific projects for ambitious regional decentralization. In contrast, M. Hauser's book is essentially an unvarnished account of an interesting practical experiment in economic regionalism initiated, curiously enough, during the progress of modern war, which demands by its very nature a highly centralized machinery of control and operation. But the heavy bureaucratic régime centering in Paris proved both inadequate and ill-adapted to handle big economic activities "*en province.*" Furthermore, the threatened occupation of Paris by the enemy, the actual invasion and systematic devastation of the industrial heart of France, and the fact that many sections of the country were thrown, so to speak, upon their own resources, called for a more unified and intensified economic life, independent of the capital, than existed in 1914.

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As M. Hauser relates it in characteristically vigorous phrase, the war-time regionalist experiment evolved through two distinct phases. The first consisted in the creation by the government in 1915 of a number of consultative committees of economic action, whose function it was to facilitate and coördinate the agricultural and industrial activities of twenty regions corresponding with the existing division of the country for the purposes of military administration. The personnel of each of these committees included not only military and civil administrators, but two representatives (per department) chosen by chambers of commerce, manufacturers' associations, and agricultural organizations. While their powers were only advisory, they were able to perform useful service in stimulating the recruitment of labor, opening up war industries, and generally working out a comprehensive program of production for each regional division.

But the ministry of commerce, under the headship of M. Clementel, aspired to go further in the direction of developing economic regionalism. In 1917 it proposed the organization of "regional councils" with more than merely advisory functions, and with a broader basis of membership, which should include delegates named by departmental and municipal councils as well as men chosen from chambers of commerce, industrial and agricultural organizations, and the corps of local civil servants. This proposition, however, proved too ambitious for acceptance by Parliament, which, after a confused wrangle, left the minister's hands free to carry through a more modest reform. By a ministerial circular, issued under the authority of a law of 1898, local chambers of commerce, nearly 150 in number, were invited to group themselves into regional units to handle matters of economic administration requiring the co-operation of two or more departments. Most of the chambers responded favorably, and by 1921 eighteen regional organizations were more or less actively functioning, with considerable promise of permanence.

That this experiment, as the author confidently believes, will revive the pre-war regionalist movement in the political sphere and pave the way for the adoption of full-fledged regional decentralization in France, a foreign observer is reluctant to suggest. But M. Hauser's book will be read with interest and profit both by American and by European students of this timely problem.

WALTER R. SHARP.

University of Wisconsin.

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International Economic Policies. By WILLIAM SMITH CULBERTSON. (New York: D. Appleton and Company. 1925. Pp. xviii, 575.)

On page 481 the author has written: "It has been a purpose of this volume to consider the disputes and grounds for disputes which have arisen among nations from economic causes." And on page 394 occurs another statement of the significance which attaches to the subject of this study: "When traders of one nation attempt to sell their products abroad, they come in competition with the traders of other nations, with the result that world economics become world politics involving individual governments." The reviewer knows of no other book which presents so many considerations in support of this now fairly well recognized theorem and none in which clearness of thought and simplicity of style contribute more successfully to produce an interesting and comprehensible treatment.

Mr. Culbertson, whose eminently successful experience as a member of the tariff commission renders him the logical author of this book, appears to have had two objects in mind in writing it. Primarily it is a book of facts, a textbook, covering the whole gamut of international economic relationships; significant if secondary is the commentary upon the facts, the interpretation of their trends and the expression of the author's widely informed and liberal philosophy of internationalism. A large proportion of the book is given to those less romantic but pervasive and permanent factors: commercial treaties, in which their features are carefully though rapidly distinguished. They are divided into two groups: those which provide for "national treatment" and those which specify "most-favored-nation treatment." Principles and methods of tariff bargaining, protectionism, preference and assimilation in the colonial administration of the several colony-holding states, and the closed and open-door policies—all are handled concisely and definitely.

It would seem to the reviewer more logical to have placed chapters XI and XII, which deal with "Competition and Combination in International Commerce" and "Commercial Policies affecting Shipping" immediately after chapter VII on "Colonial Experiences of the United States," and to have made chapter VIII on "The Open Door" the penultimate chapter, since the two former conclude the discussion of commercial treaties while the latter is concerned not only with commerce and shipping but with the great problems of raw materials and capital export, which are treated in chapters IX and X. The final chapter: "The

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Foreground of the Modern World," is an essay on the new nationalism and its essential relationship to internationalism, of interest in itself, if hardly such a body of conclusions as would naturally flow from the whole context of the book. There are nine appendices in the nature of extended footnotes.

From among the various excellent chapters it would be simply the evidence of individual preference to suggest the superiority of one over another. All contain fresh data and new angles of vision on the subjects they concern. The only regret is that often the necessities of limited space prevent the extent and depth of treatment that could be desired. It is pointed out, *inter multa alia*, that the United States has dropped its earlier insistence upon conditional most-favored-nation treaties in favor of the unconditional type; (pp. 92–5) that on the other hand its colonial tariff policy is the "least liberal of any nation" (p. 231). In general the open-door policy as applied in the colonies of the various states is said to be losing ground (p. 298); colonial preference (p. 230), and tariff-bargaining (p. 115), are condemned. Somewhat *ex cathedra* it is declared that: "The American Government has never under any administration used or sanctioned the use of loans, investments, or other economic measures for the purpose of aggression." (p. 367). The necessity of an American merchant marine is recognized but it is urged that not public subsidy but a revival of the genuine interest and indomitable persistence that marked the clipper era of American shipping must form the basis of a sound shipping program (p. 473).

From the many statesmanlike ideas suggested or endorsed by Mr. Culbertson for the improvement of international economic relations one might construct a well-rounded scheme of international control. One of the appendices elaborates the method of conferences, the author's program for American action submitted for the Bok prize. He is a firm supporter of the open door (pp. 292, 324, 334), and of the conservation of raw materials. (pp. 334–340). He emphasizes the necessity of international coöperation in the control of international finance (pp. 382–392). He suggests that "a first step in economic disarmament would be an international agreement to refrain from state encouragement and promotion of trade" (p. 427). Throughout the entire volume, supporting the technical analysis but never intruding upon it, runs the constructive argument which represents the author's contribution to the solution of the problems raised. "Civilization," he writes, "has had its very existence imperiled by a misuse of its own material achievements

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and with this warning must turn its attention to devising methods of controlling these forces to social ends. In international affairs at least the way to *good* government is to have *more* government" (pp. 22–3).

HAROLD S. QUIGLEY.

University of Minnesota.

Extraterritoriality: Its Rise and Its Decline. By SHIH SHUN LIU. Studies in History, Economics and Public Law. Volume CXVIII, no. 2. (New York: Columbia University Press. 1925. Pp. 235.)

Dr. Liu's monograph does not profess to be an exhaustive treatise upon what he very correctly calls, "the vastly complicated subject of extraterritoriality." However, it does show clearly and succinctly "the historical development of the system of consular jurisdiction as a whole, ... how it arose, how it later grew in importance, and how finally it has in recent years declined," its abolition or modification having been accomplished or attempted through annexation, transfer of jurisdiction, separation, protection, unilateral cancellation, or diplomatic negotiation.

It is not Dr. Liu's purpose to discuss the actual workings of the extraterritorial system in the various countries in which it has been established and no matter how much we desire that sort of treatment, Dr. Liu's study is not to be criticised from that standpoint. There is, however, a great need for a consideration of extraterritoriality from the point of view of its actual operation and not merely from that of an infringement upon an abstract sovereignty. How does consular jurisdiction really work in a world of living men and of living law? Is there any good in it which should be preserved and, if so, what limitations should be put upon it to prevent its interference with local institutions and the development of an even-handed and uniform administration of justice? Could it be extended with advantage to European and American countries in a limited way as, for example, in matters such as the administration of the estates of deceased aliens?

That extraterritoriality as it has been established by the treaties and arrangements so thoroughly investigated by Dr. Liu, is, both in the Near East and the Far, a decadent institution, no one who has had actual experience with it, from the standpoint of a state subject to its burdens, will deny. The situation in many places is intolerable, with its lack of uniformity, its special privileges based only on a claim of nationality, not always genuine, and its faulty administration by consuls inadequately trained, or trained not at all, in legal methods and

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habits of legal thought. It is inconceivable that a system should persist which, in its present form, so far as the administration of criminal justice is concerned, results not infrequently in the dismissal with a warning only or the imposition of a merely nominal punishment, if the accused is a national of a state possessing extraterritorial privileges, while a native, under similar circumstances, perhaps a participant in the same offense, is punished severely by the local tribunals. Nor is the situation better with regard to the administration of civil justice in those cases in which plaintiff and defendant are of different nationalities. The inability to compel the attendance of witnesses, the impossibility of bringing together all the parties to a transaction before one tribunal, so that full and complete justice may be done, are grave obstacles impossible to be overcome so long as the system continues.

The evidence in treaties and conventions of the decline of extraterritoriality is very clearly set forth in Dr. Liu's last chapter on the modification or abrogation of extraterritoriality through diplomatic negotiation. Advances in the local law and administration of justice, though sometimes rather tardily recognized by the powers possessing extraterritorial privileges, have been the most potent influence at work to bring about either a substantial modification of extraterritoriality or its complete abrogation. Extraterritoriality, from that point of view, has been of great value to the countries in which it exists, in the stimulating effect it has had upon the development of local law and judicial organization. The benefit of such a stimulation, however, is very much impaired if the recognition of such local and judicial improvement is not made for its own sake by the extraterritorial powers but is coupled with demands for extraneous political advantages. The wisdom of Dr. Liu's statement on page 235 cannot be gainsaid: "The interests of justice and fairness will best be served by the conscientious endeavor of the one side to improve the judicial system and of the other to refrain from introducing into what is primarily a legal question irrelevant considerations of a political nature."

On page 214, there is an error in the quotation from the Anglo-Siamese treaty of 1909. The quotation should read, "all British subjects in Siam registered *before* the date of the present treaty."

In note 1 on page 91, Dr. Liu discusses the claim by Chile to extraterritorial privileges in China based only upon a most favored-nation clause. Dr. Liu's conclusion is that, in China, an express provision is essential. This may be true as to China but it cannot be said to be true generally, as British extraterritoriality in Persia is or was based exclu-

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sively upon the most favored nation clause contained in the treaty of 1857.

Dr. Liu's study has been done with great care and detachment and is a valuable contribution to the literature of this most important and delicate subject.

ELDON R. JAMES.

Harvard Law School.

Effective Regulation of Public Utilities. BY JOHN BAUER. (New York: The Macmillan Company. 1925. Pp. ix, 381.)

This is an admirably clear and forceful presentation of the investment standard of public utility valuation. Although the book will probably be thus classified in public utility literature, Dr. Bauer's aim is more far-reaching. His purpose is to analyze the present dissatisfaction with regulation and to suggest means for reëstablishing regulation in public confidence and for making it a more constructive instrument in safeguarding the reasonable rights of investors and consumers. This purpose and the author's rather argumentative method of treatment somewhat detract from the usefulness of the book as a text for students of public utilities, but it should nevertheless take high place on a list of collateral reading, and at any rate deserves careful consideration by legislators, administrative officials and the general public.

In Dr. Bauer's opinion a futile controversy over valuation for rate-making purposes has diverted regulatory bodies from their proper functions of coöperating with utility managements to improve service to consumers and to promote financial stability for investors. The hope of effective regulation lies in substituting coöperation for conflict. The only way of doing this, Dr. Bauer believes, is to establish once and for all a clear and definite standard of valuation which will make rate-fixing "practically automatic."

The greater part of the book is devoted to a justification of the investment cost theory of valuation, judged by the standards of definiteness and certainty as well as of justice to investors and consumers alike. The opposing reproduction cost theories complicate rate-making because they necessitate constant readjustments for changes in the price level. To eliminate this uncertainty Dr. Bauer urges the legislature to lay down the principle that rate bases should be the actual investment of capital in the public service, less depreciation as it occurs. With a prescribed depreciation policy, with a single rate of return (determined according to

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cost of obtaining needed capital), with exact accounting control, and with strict adherence to the investment cost principle, rates based on the net cost of the properties devoted to the public service would be easily, almost automatically, determined.

Readers are likely to get the impression that Dr. Bauer leans too far forward in his zeal for the investment theory. This is perhaps natural in a book written from the "firing line," as the author states in his preface. Nevertheless one may reasonably object to the apparent underemphasis which Dr. Bauer gives to the Supreme Court's recognition of reproduction cost elements in valuation cases. Eminent justices of state supreme courts have construed federal decisions as giving more weight to reproduction costs than the author is disposed to allow (see 194 N. W. 846).

In the chapter on "Investment, Reproduction Cost, and Changing Price Level" Dr. Bauer reaches the heart of the valuation controversy. His appreciation of the fundamental conflict between investor and consumer interests is excellent, but he seems to underestimate the difficulties of applying strictly the "cost" standard in appraisals of existing properties. Dr. Bauer proposes an adjustment of the stockholders' equities for changes in the purchasing power of money. But what of the creditors who have loaned capital in good faith in a low-interest period only to find the income from their loans depreciate in purchasing power when prices rise? The fact that most public utility investors contract for a limited return should not, it would seem, justify an adjustment of the valuation of existing properties in one case and not in the other.

In the very clear chapter on "Depreciation" the author gives the impression of being unnecessarily severe in his judgment of the renewal policy as opposed to a depreciation policy in the case of old and large utilities. Again in the succeeding chapter on "Special Items in Valuation" Dr. Bauer stands strongly against including accrued deficiencies in the rate base, as is the Wisconsin practice. He objects on the ground that these deficits may be due to incalculable factors of mismanagement or financial manipulation. But this objection loses some of its force when the certificate of convenience and necessity is fully and adequately used.

But these admittedly controversial points do not depreciate the value of the book. The reviewer finds himself in general agreement with the trend of Dr. Bauer's thought, recognizing, however, that many difficul-

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ties remain to be solved. Finally, it is a book worth reading carefully not only for the subject matter but for the clarity of style in presenting a complex subject.

E. W. MOREHOUSE.

Northwestern University.

The Government of Cincinnati and Hamilton County. A Report to the Republican Executive and Advisory Committee of Hamilton County by the City Survey Committee. Edited by LENT D. UPSON. (Cincinnati: City Survey Committee. 1924. Pp. 535.)

This volume does not derive its unusual significance entirely from the excellent reports which picture the ineffectiveness of the governments of the City of Cincinnati and the County of Hamilton, Ohio, as of the year 1924. It merits a conspicuous place rather because it constitutes the first serious and unbiased attempt of a powerful, local, political party to account for the failures of the very forms and policies of city and county administration for which the party itself, by reason of long dominance, frankly assumed a large measure of responsibility. Herein is testimony, read in between the lines, that the local republican leaders had the political courage, which was a form of social as well as party wisdom, to analyze the existing situation incisively and to recommend to the citizens a right-about-face through the adoption of more suitable forms of government and methods of operation.

"Intelligent foresight," wrote Dr. Lent D. Upson, director of the survey, who with eighteen associates was responsible to the Republican committee for the staff work, "is admittedly an obligation of the political party in power." The truth in this statement has long been known, but no other local political party in this country has ever given it the practical application demonstrated by the Republicans in modern Cincinnati. As a result the survey may be considered the first visible process in the making of a broom which within six months swept away the form of government so severely criticised and cleared the way for the adoption of the new city manager charter which goes into operation in Cincinnati on January 1, 1926. If only other powerful political organizations holding the reins over important municipal government areas would be as frank and constructive in their methods, the curse caused by the selfish intrusion of party politics into local administration could be transferred into a blessing. Politics and administration might even adjust themselves to a legitimate and workable relationship.

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But this is aside from the actual report which contains the letters of authorization, the statement of the survey committee, the summary of committee and staff conclusions, and fifty-two separate staff reports prepared by the carefully selected specialists, all of whom lived elsewhere than in Cincinnati. These staff reports analyze minutely the activities and organization of the city and county departments, covering the problems of municipal finance, safety, welfare, courts, public works, health, water, planning, schools, and elections. There is also a report upon city-county consolidation and another upon citizen influence on government. Conveniently and uniquely for publications of this character, there is a statement giving a summary of the tables and a reasonably detailed index. In respect to the actual contents the volume may be considered the latest and the best in the series of surveys of local governments made by the leading bureaus of municipal research during the last fifteen years.

Morris B. Lambie.

University of Minnesota.

BRIEFER NOTICES

Sir Josiah Stamp's *Studies in Current Problems in Finance and Government* (P. S. King and Son, London: pp. vii, 342) contains two studies which are of especial interest to students of public administration. In the chapter on "Recent Tendencies Towards the Devolution of Legislative Functions to the Administration," the author explains, with numerous examples, how Parliament has found it necessary to delegate more and more power to local officials and to departments of the national government. He is of the opinion "that delegation of authority must continue, and can continue with advantage" and that the only remaining problem is one of "safeguard—measures to ensure that the actual original intention of the legislating authority shall be continuously carried out." The safeguards which Sir Josiah Stamp recommends are those advanced by Dr. Cecil Carr in his book on *Delegated Legislation* such as delegation only to a trustworthy authority which commands national confidence; precise definition of the limits within which delegated power is to be exercised; the necessity of interested and technical advice; public notice and proper machinery for revocation or amendment of administrative action. The second topic of interest to students of government is a rather stimulating chapter on "The Contrast Between the Administration of Business and Public Affairs." The author

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says that the administration of public affairs and the civil servant's job are different from private administration and the work of the business man, first, because of the principle of consistency which requires the government to administer an act of the legislature uniformly over all classes, areas and periods of time, while a private business can vary its treatment of different individuals, classes and areas. Second, except for a few large businesses such as railroads, the magnitude of the problem sets public administration off from private business. Third, public administration is subject to a larger amount of outside budgetary or treasury control. Fourth, the economic principle of "marginal return" is absent in government and finally there is the element of political control or "parliamentary responsibility" in government.

Professor Herman G. James, who has spent much time in South America and is the author of several books on the republics to the south of the United States, has written a thorough and systematic account of *Brazil After a Century of Independence* (Macmillan, pp. xii, 587). The first five chapters contain a historical survey of the country down to the present time. Then follows a chapter on the governmental system which, together with two later chapters devoted to the individual states, is naturally of greatest interest to the student of government. Of especial interest is the account of the federal powers of "intervention" and the declaration of "a state of siege" which have been used to increase the powers of the central government. Although it is the general opinion that the "state of siege" was a governmental device adopted from continental European countries, the author points out that it was the belief of some of the framers of the Brazilian constitution that the incorporation of this power was merely a reproduction of the provision in the United States Constitution regarding the suspension of the writ of *habeas corpus*. "Whatever the theory as to the relation between the Brazilian state of siege and the suspension of the writ of *habeas corpus* in the United States may be, in practice they are quite distinct," writes Professor James. "While there has not been evidenced the same tendency to excessive exercise of these powers in Brazil that has been manifested in the neighborhood federation of the Argentine, ... it is evident that they do give the federal government an actual superiority which in the United States of America has remained a purely theoretical or potential one." The remainder of the book deals with the natural resources, population, agriculture, industries, transportation and commerce of the country.

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The Essential American Tradition by Jesse Lee Bennett (George H. Doran Company, pp. xiv, 348) is a compilation or "anthology of striking and significant passages from our national documents, state papers, and the writings and speeches of American statesmen and leaders from 1619 to 1924." To these the author has added an introduction of some hundred pages explaining and interpreting what he regards as the "essential American tradition." This tradition is not, as one might expect, some fixed idea, institution or formula, but rather "a continuing aspiration to forge consciously, deliberately forward in the vanguard of human progress; to resist the congealing of customs; to make, continuously, the inevitable new adaptations of life rendered essential by changing conditions; to secure. . . . . the greatest possible freedom of the individual from all irresponsible authority; to maintain the greatest possible adaptability of the organs of government to serve this end and to give to the common will of the people composing the nation the most effective possible expression." The remainder of the book, covering about 250 pages, is made up of extracts from documents, writings, and speeches to support this conception of the "American tradition." The selections are taken from such documents as the Mayflower Compact, the Declaration of Independence, state constitutions, and from the speeches and writings of leading Americans such as Washington, Jefferson, Hamilton, Franklin, Madison, Webster, Clay, Lincoln, Cleveland, Roosevelt, Wilson and many others less well-known. The selections are grouped under the headings of "The Individual," "The Rights of Man," "The Social Compact," "Liberalism," "The Background of the Revolution and Some of Its Ideas," "Contemporary Opinions of the Constitution," "Distrust of Government," "Class Differences," and "Patriotism."

Major-General Sir Frederick Maurice, Chief of Operations on the British General Staff during the World War, has written a remarkable account of *Robert E. Lee, The Soldier* (Houghton Mifflin Company, pp. vii, 313) which will be of lasting value. Without overlooking his shortcomings the author regards Lee as a greater general than Wellington. "Taking all the circumstances into consideration," writes General Maurice," and after making every allowance for the special advantages which Lee possessed (such as fighting in his own country, etc.), I can find in Wellington's campaign no such brilliant example of imaginative strategy, no such bold acceptance of risks, after mature and careful calculation, as brought Jackson to the Peninsula to fight McClellan and kept McDowell defending Washington. . . . . At Salamanca,

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Wellington opposed 44,000 men to Marmont's 47,000; at Chancellorsville, Lee overthrew Hooker's 130,000 men with less than half that number." "In yet another quality Lee was . . . . the superior of Wellington. Wellington was never loved by his troops as the soldiers of the South loved Lee." In one quality of generalship, however, Wellington is regarded as unquestionably Lee's superior, "Wellington would never have permitted a Longstreet twice to thwart his plans, and as the director of an army in battle, he displayed a firmness in which Lee was lacking." The book is written in a clear and vigorous style and the technical details have been handled in such a manner that the narrative of military events is not tiresome to the lay reader.

The Hon. Mrs. E. Stuart Wortley has edited the correspondence of Lord Bute, Prime Minister for a short time under George III, and his son, Sir Charles Stuart, who was an officer with the British forces in America from 1775–1780. These letters which have been buried away for a century and a half at High Cliff Castle in England, are now given to the public for the first time by Mrs. Wortley under the title *A Prime Minister and His Son* (E.P. Dutton & Company, pp. ix, 357). While the bulk of the volume is made up of correspondence between the father and son, there are a number of letters between Lord Bute and Sir Charles Stuart and such notable persons as Horace Walpole, William Pitt and Sir John Moore. The letters in this volume, especially those of Sir Charles Stuart, throw much light on the conduct of the war for independence in America and upon social and political conditions in England and Europe during the period covered, which is roughly from 1760 to 1801. The letters make interesting reading and are a worth while contribution to English and American history.

Social Organization (pp. x, 226), by W. H. R. Rivers, *A Thousand Years of the Tartars* (pp. xii, 288), by E. H. Parker, and *The Earth Before History* (pp. xxiv, 245), by Edmond Perrier, are the first volumes to appear in the elaborate series announced as "The History of Civilization." The editor of the series is C. H. Ogden of Magdalene College, Cambridge, and the publisher in this country is Alfred A. Knopf. Many of the volumes announced are to be translations of the parallel French series called "L'Evolution de l'Humanité," but the English series includes also a large number of independent works. The first two volumes above-mentioned are such independent works—the latter volume is a translation of the first book of the new French work. Students of

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political science will be especially interested in *Social Organization* by the late Professor Rivers. It is a series of lectures published posthumously and presents in brief and orderly form a summary of recent knowledge concerning early societies. The controversial theories with which Professor Rivers was associated in the last years of his life make their appearance only in the appendix, and seem to be due to the editor, W. J. Perry. The body of the book, because of its brevity, should afford a convenient manual of reference for students who desire to know something of the bearing of primitive organization on political development. *The Earth Before History* is an authoritative statement of the best scholarly opinion of today relative to the formation of the earth, the primitive forms of life, and the origin of man.

Three years after its initial appearance the writers offer a revised edition of the *Introduction to American Government* by F. A. Ogg and P. O. Ray (Century, pp. 875) with a view to bringing its contents up to date and otherwise increasing its usefulness. The most important changes are to be found in Part III, dealing with the national government. The chapter on the national judiciary is placed so as to precede, rather than follow, the discussion of congressional powers; the treatment of the national administrative system has been considerably augmented; a new chapter on the expansion of national activities has been added; and more adequate attention is given to such important problems as the reclassification and organization of public employees, administrative reorganization, unified judicial administration and judicial review, tariff revision, regulation of immigration, operation of the budget system, and nonvoting. The material in Parts I and II has been condensed and rearranged in some instances, while that in Parts IV and V has been supplemented by a number of helpful charts and diagrams and by placing added emphasis upon such problems as legislative leadership and procedure, state administrative reorganization, judicial unification and the direct primary. The reference lists at the close of each chapter have been revised and enlarged.

An important deficiency in the mechanics of teaching American government to college undergraduates has been met by Dr. Rodney L. Mott's excellent compilation of *Materials Illustrative of American Government* (The Century Company, pp. xi, 397). Teachers of the large introductory courses have been especially handicapped by the lack of source material in convenient form and sufficient in quantity

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to meet their needs. Dr. Mott's book fills this gap. It is impossible to describe adequately the contents of the volume in a short note, bnt the following are typical and also indicative of the wide range of material included. In Parts I and II on "The Foundations of Government in the United States" and "The National Government," to which are devoted 206 pages, are found, for example, the most important parts of Marbury *v.* Madison; the text of the more important proposed amendments to the Federal Constitution now pending before Congress; the President's calendar on a certain day; the text of a commercial treaty with Japan; a presidential veto message; a civil service examination; an opinion of the attorney-general; extracts from the rules of the national House of Representatives; the decisions of the Supreme Court in the two recent child-labor cases and in the Wisconsin Rate Case; addresses of the President and the director of the budget on the budget, etc. In Part III, on "State and Local Government" (154 pp.) are included such material as the act calling the Massachusetts Constitutional Convention of 1917–18; the provisions of the Cleveland Charter on proportional representation; rules of the Massachusetts House of Representatives; extracts from the Illinois administrative code; forms of judicial documents such as a subpoena, writ of habeas corpus, and indictment; sample ballots and a city manager charter. The author has written a brief introduction to each selection in order to furnish a background for the student and there is a useful appendix of twenty pages containing lists of supplementary material in pamphlet form which may be obtained from the national and state governments and "finding lists" for current documentary and other pamphlet material.

Economic Liberalism (Abingdon Press, pp. 197) contains the lectures given by Jacob H. Hollander on the Bennett Foundation at Wesleyan University. In his introductory chapter Professor Hollander regards liberalism as a habit of mind rather than a formal creed which wages its hardest struggle in economic and social matters, and points out that "liberalism in its economic phase involves an extension of the principle of democracy from political to economic and social affairs." The author explains that liberalism has until recently been of little force as a basis for political alignment in the United States because the divergences of political opinion, reflected in our party divisions, have been determined chiefly by sectional interest. "In our own day," he writes, "economic growth is merging the old boundaries, and national consciousness replacing sectional tradition." With the growth of this

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tendency the author believes that there will be a new alignment of the American people as to economic and social issues similar to that in other countries resulting finally in a cleavage between liberalism and conservatism. With this introduction the bulk of the book is devoted to a discussion of the principles of liberalism as applied to four outstanding issues of an economic nature before the people of the United States: (1) the price level; (2) taxation; (3) trade unionism, and (4) social reform. The book is written in an interesting style and with keen insight.

The Agrarian Movement in North Dakota (Johns Hopkins University Studies in Historical and Political Science, Series XLIII, no. 1, 1925, pp. vii, 183) by Paul R. Fossum, contains data and conclusions of interest and value to students of political science. After tracing the origin and history of the agrarian movement in North Dakota which culminated in the Non Partisan League, the author concludes that the League failed to carry out its program primarily because the movement was political and was, therefore, forced to draw its appointees from those who possessed political influence rather than ability. Secondly, the League was forced to appeal to class prejudices in order to stir up interest in its program. "Finally the League failed, because it sought to make of a state government, whose functioning depends entirely upon the existence of at least two sometimes diametrically opposed parties, a business machine whose success depends upon the unanimous confidence of its company in the ability of the directing officers." Mr. Fossum is of the opinion, however, that in its failure the League has accomplished a great good to the agrarian movement by proving beyond question that state ownership cannot exist in competition with privately owned and efficiently conducted organizations because of the great temptation it affords to favor political factions. Because of this lesson he believes that the coöperative movement will no longer be hampered by state ownership in working out a solution of the marketing problems of the American Farmer.

Social Cleavages in Texas by Weston J. McConnell (Columbia University Studies in History, Economics and Public Law, Vol. CXIC, no 2, pp. 196), as described in the subtitle, is an interesting study of the proposed division of that state into two or more separate commonwealths. The author describes the movement for division which has been recurring frequently and with considerable force since 1850 and the

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social, economic and political causes which lie behind this movement. He notes that if Texas were "disposed to form, out of its limits, from two to five states, it has a specifically reserved right to take such action, in accordance with the terms of her admission as a state of the American Union." Dr. McConnell points out that the division of Texas is not merely of local interest, because the creation of new states would affect the country as a whole through the sending of additional Senators to Washington and thus upsetting the balance of power which, in his opinion, "would, with high probability, be restored forthwith by granting statehood to those who seek it in other sections. The East, with its desire for municipal states, would tend to offset the states created in the West, and would, in so doing, form a hitherto unrecognized cleavage."

The European Powers and the Near East, 1875–1908, by Mason Whiting Tyler (University of Minnesota Press, pp. viii, 234), is a careful, yet eminently readable study which is a credit to the University whose impress it bears, and a worthy monument to the scholar whose early death left the last few pages to be put into final form by his friends and colleagues. The conflicting interests which embittered thirty-three years of Near Eastern history are examined and discussed in a spirit of judicial fairness. Extreme objectivity is combined with lucidity of statement, and the serious tone is relieved by occasional touches of quiet humor, as in the description of Lord Derby, who, in 1875, "took his seat among the ruins of the settlement of 1856, and obstinately pronounced them habitable." Dr. Tyler did not believe that he was pronouncing a final judgment upon all controversial points; he frequently acknowledged the present insufficiency of the available evidence. Recognition of the value of the work as it stands carries with it a regret that the author was not able to bring the story down to the point where he had originally fixed as his goal, the outbreak of the World War.

Ivanoe Bonomi, who was the Italian prime minister from January, 1921, to February, 1922, has written an interesting book *From Socialism to Fascism: A Study of Contemporary Italy* (Martin Hopkinson & Company, London; pp. xiii, 147), which has been translated into English by John Murray. One would hardly expect the author, who was expelled from the Socialist party in 1912 upon the motion of Mussolini and who went into opposition when Mussolini seized power, to be favorably disposed toward his opponent or the movement of which he is the

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leader. Despite these facts the book is written with an air of impartiality and fair-mindedness, and the author is of the opinion that Fascism saved Italy from Bolshevism and the radical socialists in the period of reaction following the war. On the other hand, the author points out that the conception upon which Fascism is based, "of the State above classes and parties, and expressed itself through a king, a soldier or a dictator, who ruled by divine right or in the sacred name of the fatherland or the nation is ended in all nations." To him Fascism appears, therefore, "as the transitory result of special causes" and is regarded as an "interlude rather than a stage in history." Anyone desiring a picture of recent conditions in Italy, less colored by bias than the average, should not overlook this book.

Pitirim A. Sorokin was, until expelled from Russia, professor of sociology at Petrograd; since when he has been in this and other countries writing about the events in his own land. He is particularly qualified by training and experience to write of *The Sociology of Revolution* (Lippincott, pp. xii, 428). His book is based on first-hand observation and a vast amount of research in the literature of revolution. The study is primarily psychological in approach and is a welcome modernization of LeBon's earlier work. While Professor Sorokin keeps to the psychological and sociological interpretation of revolution, he makes definite and valuable contributions to the understanding of the effects of revolutionary conditions upon large masses of people. And he has maintained more than ordinary restraint in analyzing conditions and events in Russia which touched him directly and adversely. But his book lacks an element of completeness by relegating "the causes of revolution" to a final chapter of less than fifty pages. And few historians would perhaps agree with him that "contemporaries are the better observers and judges of historical events." His entirely uncritical use of "Bolshevist figures," because of their tendency to depict "the situation rather better than it is in reality," is sometimes confusing.

Elizabethan Episcopal Administration: An Essay in Sociology and Politics, by W. P. M. Kennedy (A. R. Mowbray & Co. Three vols., i-ccxlix, 1–135, 136–351), is an essay and a collection of documents. The documents, which cover the years 1575 to 1603, are a continuation of those in *Visitation Articles and Injunctions of the Period of the Reformation*, edited by Walter Howard Frere assisted by William McClure Kennedy (Longmans, 1910). The essay is a lengthy commentary on the

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documents in the two collections, in the form of a comprehensive and detailed study of Elizabeth's ecclesiastical administration. Yet, although the author discusses ecclesiastical administration, his essay is not without value for students of civil administration. For in the sixteenth century the church controlled many fields of activity now considered secular. And Elizabethan administrative methods were the same in both church and state. The reliance of the Elizabethan system on public opinion is incidentally brought out, as in the discussion of the Royal Visitation of 1559 which was preliminary to the enforcement of the acts of supremacy and uniformity. Another of the incidental contents of the essay is a chapter and a half of generalizations upon the Elizabethan problem of government and Tudor political theory, brilliantly written if not new in substance.

Professor Dudley J. Medley of the University of Glasgow has revised his well-known and authoritative *Students' Manual of English Constitutional History* (Macmillan, pp. 688. Sixth edition). Certain portions, such as the section on the King's prerogative, the history of the King's Council, the Privy Council and the Cabinet, have been entirely rewritten in the light of recent studies, new illustrations and bibliographical material have been added, and details changed to bring the work down to date. One looks in vain, however, for comments on such subjects as the Defence of the Realm Act, and a discussion of the relations between the mother country and the dominions. The author recognizes this latter omission, and explains it on the ground that the subject deserves a special treatise rather than a few pages at the end of an already lengthy volume.

Students of comparative government should welcome the publication of two lectures on *Recent Constitutional Developments in Egypt* (Cambridge University Press, pp. 49), by Sir William Hayter, late legal adviser to the Egyptian government, prepared shortly before his death in 1924. The author is hopeful for the future of Egypt. "The people are no longer what they were ten, or even five, years ago," he writes. "Egypt is no longer the country of opera-bouffe but must be taken seriously. . . . . What the country requires is steady government on moderate and conservative lines to consolidate the position already won, and to establish in the eyes of the world that Egypt is fit to take her place in the community of independent nations." The two thorny questions now are, first, the maintenance of a British army in Egypt,

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which Sir William believed should be ultimately withdrawn as means are found which will render unnecessary a continued British military occupation; and secondly, relations with the Sudan.

Opium as an International Problem; The Geneva Conference, by W. W. Willoughby (Johns Hopkins Press, pp. xvi, 585) enjoys the advantage of being written by one who, as counsellor to the Chinese Delegation, was in a position to observe the Opium Conferences recently held at Geneva from the inside, and who has ample access to documentary materials for reproduction in the text. It enjoys the advantage which any volume coming from the pen of its distinguished author would enjoy, namely, that of orderly arrangement, clear exposition, detailed treatment, and well-focussed interpretation. One may, however, inquire whether the Chino-American or anti-British view of the opium problem and the proceedings at Geneva is very profitable. Granted that it is justified by the British attitude and American and Chinese needs and ideals. The point is not to reveal who is right or wrong, righteous or wicked. The point is to get results. And no results can be had by jumping on Lord Robert Cecil for what was at worst a diplomatic blunder, or by refusing to play unless we can also umpire the game. As long as the present dogmatic attitude of the American Government is maintained, our influence on any international business we touch can hardly be helpful. P. B. P.

At a time when more and more attention is being paid to the relations between China and other nations it is of more than passing significance that there should appear a complete and scholarly source book dealing with China's foreign relations. Dr. Harley F. MacNair of St. John's University, Shanghai, has given us such a volume in *Modern Chinese History: Selected Readings* (Commercial Press, Shanghai, pp. xxxvii, 910). The work is modelled after Robinson and Beard's *Readings in Modern European History* and contains some 477 extracts from various sources chosen to illustrate the chief phases of China's international relations from 1842 to the present time. The author has added numerous comments which explain the text in a clear and concise manner and which serve to weave the scattered documents into a connected story.

The Macmillan Company has published *A Political and Social History of the United States* in two volumes which students of government will find extremely helpful and interesting because of the informa-

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tion which it contains especially in regard to recent history, the point of view of its authors and the emphasis on political events and movements. The first volume (pp. xiii, 438) covering the period from 1492 to 1828 is by Professor Homer C. Hockett of Ohio State University, and the second volume (pp. xvii, 576) surveying the century from 1829 to 1925 is by Professor Arthur M. Schlesinger of Harvard University. Professor Hockett has given a very readable account of such matters as the formation of the national government, the rise of nationalism, the origin and early history of parties and sectionalism. Professor Schlesinger has been guided in the choice of his material by certain definite aims. In the first place, he emphasizes the fact that the American population has differed from the people of modern European countries because of its economic independence and also because of the "recurrent tides of immigration." Secondly, he lays stress on certain "great dynamic currents which have shaped the nation's life" and are still of great importance. These are "(1) the growth of nationality; (2) the struggle for greater democracy; (3) changes in the methods of production and distribution; (4) the constant striving for social amelioration, including the contest for free public schools, improvement in the lot of women and children, and the successive movements for humanitarian reform; and (5) the expansion of national boundaries." About one-fifth of Professor Schlesinger's volume covers the years since 1900.

Among the recent theses presented for the doctor's degree at the University of Pennsylvania, is *The Origin of the State: Reconsidered in the Light of the Data of Aboriginal North America* by William Christie MacLeod (pp. 109). This is a suggestive study of the conquest and the so-called "psychological" theories as to the origin of the state, using the North American Indian tribes as a basis for investigation. The author rejects the conquest and diffusion theory and concludes that social stratification which precedes the establishment of the state is a socio-psychological process, whose development is "independent of any necessary correlation with economic evolution and independent of the diffusion of cultural forms. Aristocracies find the starting point of their evolution in the establishment of the office of chief by enterprising individuals; this office becomes hereditary in the chief's family, and generally chief's families tend to intermarry and perpetuate within a narrow circle the prerogative of government. The segregation . . . . of an autocracy means the complementary segregation of the masses as a class of commoners; the tendency of the aristocracy to

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become a closed caste further segregates rising commoners as a bourgeoisie." Conquest followed by subordination of the conquered, in the opinion of the author, is not a cause but rather a consequent of "the evolution of social stratification."

Among recent publications in the Columbia University Studies in History, Economics and Public Law are *Tory Democracy* by William J. Wilkinson (pp. 315) and *Protective Labor Legislation* by Elizabeth Faulkner Baker (pp. 467). The former is an account of the Tory measures which have "promoted the happiness and welfare of the common people," and of the leaders of this movement within the party from Disraeli to Lord Robert Cecil. The author concludes that "The best traditions of the Toryism of both Disraeli and Lord Randolph Churchill have been sustained and brought to a more complete fulfillment in the person of Lord Robert Cecil, who has identified himself, not only with those forces which seek 'to improve the condition of the people' of his own country, but which are also striving to inaugurate a new and enlightened international order." The latter study is a survey of labor legislation with special reference to women in the state of New York. Particular emphasis is given in this work to the influences which have brought about labor legislation, the machinery for the enforcement of labor laws, and important court decisions.

The promise of further professionally and historically valuable information as to the part played by sea power during the World War, implied throughout the first volume of Captain Frothingham's work on the *Naval History of the World War* has now been amply fulfilled. The second volume (Harvard University Press, pp. 342) recently published, is a fitting suite to the first which dealt with the "Offensive Operations of 1914–15." In this second volume, devoted to the *Stress of Sea Power in 1915–16*, may be found much that will be of interest to readers who are seeking enlightenment on the battle of Jutland, and on the rôle played by submarines before, during, and after that memorable naval engagement. The causes and results of the failure of the British Grand Fleet to destroy the less powerful German High Seas Fleet, May 31, 1916, are well and clearly set forth, as is also the effect of this on Germany's ensuing submarine policy. Concerning this engagement and various other naval situations including the failure of the Entente Allies to force the Dardanelles, the author often, and quite properly, brushes aside all speculations as to "what might have been." He

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presents the facts he has gathered from many authentic sources and lets them speak for themselves.[1]

The Naval Side of British History by Geoffrey Callender (Cristophers, London; pp. ix, 305) is a narrative the confessed aim of which is to offer to naval actions that approbation and gratitude the absence of which, besides making "the modesty of the sailor not merely proverbial but immaculate," has tended to cause British supremacy at sea to be accepted too complacently. And in this survey of more than four centuries of history, where occasionally magnificent generalizations or untempered enthusiasm for British achievements show themselves, this declared intention must be remembered. The few pages devoted to events since 1914 are essentially in the nature of a graphic picture of some outstanding features.

Those who have taught municipal government will perhaps agree that there is a scarcity of worthwhile books describing political conditions in our larger cities. *Travelling on the Democratic Donkey* by Clement G. Lanni (Rochester Alliance Press, pp. x, 220) would not appear from its title to be of any material assistance in this respect, but one does not have to read far to find that this book contains a most illuminating and colorful description of the system of patronage, bossism and the inner workings of local party machines. Mr. Lanni was for many years a newspaper man in Rochester and at times a candidate for public office. His book is largely an account of the unsuccessful struggles of the Democratic organization to break the hold of the Republican machine in Rochester, N. Y., which is a "rockribbed" Republican city and county. After two hundred pages of interesting narrative, Mr. Lanni concludes with a plea of "let us forget our politics" and a word in favor of the city-manager plan. "National parties should exist," he says, "without the help of local patronage. If a national party cannot exist . . . . without the help of local patronage, then it should cease to be a party."

Social Psychology by Knight Dunlap (Williams & Wilkins Company, pp. 261) is a clear, readable and scholarly presentation of a subject which is attracting an increasing amount of attention. The chapters which are most useful to political scientists are those on "Civic and Mar-

[1] By Captain Elliot Snow, U. S. N.

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tial Organization," "Conditions of Social Progress," "The Principles of Social Organization," and "Propaganda." The author has not attempted to develop his subject on the basis of a single doctrine which he wishes to "put over" such as "imitation" or the "group mind," but rather it is his aim to present general principles and concrete facts of organization so as to give the reader a broad view of the subject. His method of presentation also ties up the purely psychological data with other fields of knowledge such as biology, anthropology and philosophy. These features, together with its readableness and vigorous style, constitute the special merits of the book.

A second edition of the fourth volume of Léon Duguit's *Traité de Droit Constitutionnel* (De Boccard, Paris; pp. 937) has been published. This volume deals with the political organization of France and the revision is in the form of notes appended to the original text. These additions explain the legislation of 1924 as it affects the government of France, and also describe proposed changes in fundamental laws. Among the latter is the proposal of legislation for return to the method of *scrutin d'arrondissement* recommended by the council of ministers because of general dissatisfaction with the results of the election of May 11, 1924.

The recently published volume of *Essays in the Law* by Sir Frederick Pollock (Macmillan, pp. xii, 303) makes available the distinguished author's two well-known essays on the law of nature, which are almost indispensable to an elementary knowledge of the subject, but which have hitherto been buried in the files of the *Journal of the Society of Comparative Legislation*. Of special interest to students of politics are also the essays on Locke's theory of the state and on Government by committees in England. The remainder of the essays are of legal rather than political importance and are addressed to questions of private law. While practically all have appeared in technical journals or the proceedings of learned societies, a publication which adds currency to Sir Frederick's writings is of itself a welcome contribution to the social sciences.

Human Conduct and the Law by Mary C. Love (George Banta Publishing Company, pp. xi, 318) includes in Part I (102 pages) a discussion of the important facts of human conduct such as locomotion, fear, acquisitiveness, self-expression, sex, gregariousness, and protective

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instinct, both in terms of law and in terms of psychology; and in Part II (200 pages) a number of selected cases from the decisions of American courts touching on these subjects. The author accepts the view that the "whole subject-matter of law is human conduct. It deals with what men want in relation to other individuals, to things, and to land, and the mechanisms men use in satisfying their wants." The selected cases show human beings in their efforts to break through the agreed rules of society to the things they want, and the rules of law applied or established by the courts in dealing with such attempts at breaches of the law.

McKechnie, McIlwain, and Adams are among the pathfinders whom Dr. Faith Thompson has followed in *The First Century of Magna Carta: Why it Persisted as a Document* (Research Publications of the University of Minnesota, pp. x, 123). Assuming in general the correctness of their conclusions as to the origin, nature, and meaning of the Magna Carta, she has given us what can be learned from printed sources about the history of the charter during the reigns of Henry III and Edward I. The result is an interesting and useful essay. Dr. Thompson emphasizes especially the practical usefulness of the charter in its first century, its value in constitutional development, and its importance for the church. She discusses also the Forest Charter.

The Oxford University Press has just published *The Permanent Court of International Justice: Its Constitution, Procedure and Work* (pp. vii, 342). The titles of the several chapters of this book—"Creation of the Court," "Organization of the Court," "Jurisdiction of the Court," "Procedure of the Court," "Work of the Court," and "The Court and the League"—give a good idea of the material which the author has attempted to include. He has pointed out the distinction between a court of arbitration and a court of justice. He prefers the term "voluntary jurisdiction" to "compulsory jurisdiction." He also shows that the advisory opinions have tended to be based on justice and law rather than on political expediency. In the consideration of the jurisdiction of the court the tendency to provide by special treaties for reference of cases to the court is noted. The development of the details of procedure is outlined and the work of the court, as shown in the opinions rendered, is also explained. Under the last chapter the sanctions are briefly mentioned. An appendix giving the

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essential documents and a good index cover the last hundred pages. The attempt of the author has not been to give an abstract discussion of the court and its work, but rather to present, in a simple and straightforward statement, its constitution, procedure, and work, and this he has done in a very helpful way at a time when many misleading pronouncements have been made by those furthering propaganda for or against the court itself.

The first *Annual Report* of the Permanent Court of International Justice (Leyden: Sijthoff's Publishing Co. pp. 440) covers the period from January 1, 1922 to June 15, 1925. It includes chapters on the court and registry (with biographical notes on the judges), the statute and rules of the court, the court's jurisdiction, judgments, advisory opinions, administrative decisions, publications, finances, bibliography, and extracts from international agreements affecting the jurisdiction of the court.

Europe Turns the Corner by Stanley High (Abingdon Press, pp. 308) adds a note of optimism to the discussion of present-day affairs in Europe. It is the opinion of Mr. High that the events of 1924, such as the Dawes plan, the recognition of Russia by England, France and Japan, the rise of the British Labor Party in England, the proposal of the Geneva Protocol and the overturn of Poincaré in France, indicate that a considerable amount of constructive progress has been made since 1919. It is his opinion that "during no year since the war has Europe gone forward so rapidly toward settlement as during 1924." Although some of the policies introduced in 1924 have met with reverses the author feels that "there are many indications that the advance of that year marks the end of the first and the beginning of the second post-war period."

The Reawakening of the Orient and Other Addresses is another Institute of Politics publication (Yale University Press, pp. 176). The addresses include: "The Reawakening of the Orient" and "The Great Indian Experiment," by Sir Valentine Chirol; "The Liberal Movement in Japan" and "The Origin and Growth of the Labor Movement in Japan," by Yusuke Tsumumi; and "The Economic Recovery in the World" and "Economic Conflicts as the Causes of War," by Sir James Arthur Salter. The first two sets of lectures give an interesting though not

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exhaustive view of contemporary political and economic movements in the East. The lectures by Sir James Salter cover in the traditional way the malady of Europe, its cause and cure.

A *Statistical Review of Relief Operations* by the commission for relief in Belgium during the World War has been prepared by George I. Gay and published, with an introduction by Herbert Hoover, chairman of the commission. This gives an outline of the relief organization and a review of relief operations, in 81 pages, illustrated by diagrams, charts and maps; and 439 pages of detailed statistical tables, concerned mainly with commodity statistics as distinguished from financial accounting. It is a mine of information on the relief work, but confessedly is not a complete history of the commission and its activities.

America and World Peace (pp. 145) is the title of the Colver lectures, delivered at Brown University in 1925 by the Honorable John H. Clarke, a former Justice of the Supreme Court of the United States, and published by Henry Holt and Company. The distinguished advocate of peace affirms that the interest of the United States in world peace "is threefold,—moral, economic, and political." The first two phases of our interest can be demonstrated as facts. The political interest, according to his view, should follow and serve our moral and economic interests. In additional chapters the author sets forth in an illuminating manner the interest of the United States in the League of Nations, and the purpose and significance of the Geneva Protocol.

Henry B. Hazard and Margaret D. Moore have prepared a chart, *The Constitution at a Glance*, on which all of the provisions of the Constitution of the United States are analyzed and systematically arranged under appropriate headings on a single sheet of paper. Each of the five sections into which the provisions are grouped is printed in a different color and there are explanatory notes and references to some of the important court decisions.

Financial Control in the States With Emphasis on Control by the Governor, by Harry Aldin Barth (Westbrook Publishing Company, pp. 122), is a study of the methods of executive supervision over finance exercised in the various states through the classification of expenditures, the budget, and the auditing of accounts. The author also outlines a

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proposed system for concentrating control over state finances under the chief executive.

A monograph on *The Custody of State Funds* (pp. 176), by Martin L. Faust, has been published by the National Institute of Public Administration. Part I is a general discussion of the subject, in five chapters; and Part II deals with the depository systems of Pennsylvania, Ohio and Illinois. In most of the states a veil of secrecy surrounds the administration of public deposits. The Ohio system of competitive bidding for the state deposits has succeeded in a marked degree in eliminating the personal equation in the distribution of funds. Appendices give a digest of state laws on the custody of funds, and statements, of state moneys lost or tied up in deposit banks and of interest received on state deposits.

Perhaps the most important problem in connection with the movement for good roads is that of finance. As a help in the solution of this problem the gasoline tax has been introduced in many states. *State Gasoline Taxes* by Edmund P. Learned (University of Kansas Humanistic Studies, Vol. III, no. 4, pp. 94) analyzes the main provisions in the laws of the various states, and discusses the methods and problems of administration. It is the author's conclusion that as a source of highway revenue the gasoline tax is a success, but that it has little value as a means of promoting conservation. The study closes with the draft of a model gasoline tax law.

The Reorganization of State Administration in Texas (University of Texas Bulletin, No. 2507, Feb. 15, 1925; pp. 129) by Frank M. Stewart not only describes the need for the reconstruction of state administrative organization in Texas, the movement for improvement already under way in that state, and a proposed scheme for Texas, but it also summarizes the general principles of administrative reorganization and the results in other states. There is a very useful bibliography of ten pages dealing with the subject in general.

An *Analysis of the Finances of the State of Indiana*, 1913–1923 (pp. 237), by Charles Kettleborough, director of the Indiana legislative reference bureau, and Frederic H. Guild, now of the University of Kansas, has been published in the Indiana University Studies, No. 63. Fol-

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lowing the analysis for each year is a series of comparative tables of receipts, disbursements, comparative cost of state departments, and comparative table of fees, for each of the eleven years.

A comprehensive survey of *County Government and Administration in Iowa* (pp. 716) has been published by the State Historical Society as volume IV of the Applied History Series, edited by Benjamin F. Shambaugh. There are eighteen chapters dealing with different phases of the subject, by eight writers. The work is based on a detailed study of the statutes, supplemented by judicial decisions, reports of state offices and other works. There is, however, little or no indication of any extended use of the reports of local officials, or of comparisons between the conduct of public affairs in different counties.

Teachers and students of state history and government would find their work made easier and more interesting if for each state in the Union there could be prepared such a thorough and accurate history as Theodore Calvin Pease's *The Story of Illinois* (A. C. McClurg & Company, pp. 394). The work is based largely on the five-volume *Centennial History of Illinois*, of which Professor Pease was one of the joint authors, and considerable attention in the later period is given to party politics and political development.

After a lapse of a half century there has been published for the first time *Lincoln's Last Speech in Springfield in the Campaign of 1858*, (University of Chicago Press, pp. 22). This short speech of about 400 words, delivered at the close of the campaign for election to the United States Senate, is regarded by Oliver R. Barrett, who writes the introduction, as marking "a turning point in Lincoln's career" because "in its brief paragraphs the last echo of Lincoln, the politician, is lost in the resonance of the clearer note of Lincoln, the statesman." In addition to the text of the speech and the introduction the booklet contains a facsimile reproduction of the speech in Lincoln's own handwriting, a newspaper account of the meeting, and a first-hand description by a citizen of Springfield who was present.

Modern Immigration by Annie M. MacLean (Lippincott, pp. xii, 393) is a view of the situation not only in the United States but also in other important immigrant-receiving countries such as Canada, Australasia, South Africa, Brazil, and Argentine. The author is a firm

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believer in a wisely administered policy of restriction. "For practical reasons," she writes, "the great immigrant-receiving countries have found it necessary to decide what their dominant racial strain may be." An appendix of over 150 pages includes the text of important laws, rules and regulations governing immigration in the United States.

A study on *The Employment of Young Persons in the United States* (pp. 150) has been published by the National Industrial Conference Board. This deals with the factors, extent, character and effects of such employment, state regulation and the problem of federal regulation. The outstanding requirement today is held to be the securing of more comprehensive, detailed and up-to-date information concerning the situation under existing conditions and regulations.

In *Taxation and Welfare* (The Macmillan Company, pp. vii, 269), Professor Harvey Whitefield Peck makes an attempt at an impartial and scientific survey of the problem of American taxation, taking into account the opinions of authorities on public finance, and arguing that taxation must ever be judged in connection with projected public expenditures.

Prof. J. Russell Smith has produced a unique and delightful volume on *North America* (Harcourt, Brace and Company, pp. viii, 849). It is fundamentally a regional geography, but its author, convinced of the dominating influence of geography on economic and hence political institutions, has not allowed himself to be deterred by conventional pedagogical boundary lines from giving a thorough consideration to agricultural, industrial, and commercial matters, from divagating upon problems of government, administration, and international relations. The book is brilliantly written, completely avoiding that dry dullness which has been characteristic of so many economic geographies.

From the University of Chicago Press comes the first volume in English devoted to *The Social Theory of Georg Simmel* (pp. xxix, 297). Its author, Nicholas J. Spykman, believes that the methodology developed by the German relativistic philosopher is capable of revolutionizing the social sciences (above all, sociology) and of placing them on a truly scientific, as opposed to a metaphysical, basis. Simmel stressed the necessity of concentrating upon the timeless elements in society, those exhibiting "phenomenological relationships with sufficiently high degrees

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of correlation to give a high probability of repetition;" the unique elements he left to the historians, who were consequently disbarred from prophecy. The volume deals ably with fundamental matters.

The Story of Human Progress (Macmillan, pp. xvi, 548) by Leon C. Marshall, Professor of Political Economy of the University of Chicago, is a textbook for high school students which seeks to give the pupil a coherent view of the evolution of the society of which he is a part. Part IV deals with social control including such topics as custom, law, public opinion, and government. The book is written in an interesting fashion and is carefully illustrated.

A. G. Keller's volume, *Starting-Points in Social Science* (Ginn and Company, pp. v, 183) is a collection of essays which have been found useful, prior to general publication, in a freshman orientation course at Yale University. Human adjustment to environment is stressed, and from this point of view certain economic and political topics are discussed.

Civic Sociology by Professor Edward Alsworth Ross (World Book Company, pp. v, 365) is a high-school textbook in social and civic problems. Professor Ross's well-known views on such matters as the population problem, poverty and its relief, social conflicts, and freedom of speech are set forth in a form deemed suitable for the young, and with the usual pedagogical paraphernalia of "questions on the text," and so forth.

The Basis of Racial Adjustment (Ginn and Company, pp. viii, 258) is the result of an effort by Thomas Jackson Woofter, Jr., to give, in textbook form, the authentic facts concerning the different phases of negro life in the United States today. The book is informed and temperate.

The reissue of Robert S. Sutliffe's *Impressions of the Average Juryman* (Appleton, pp. 114), indicates a demand for these informal and often revealing snapshots of the run of the docket as an interested and experienced observer of the ways of judges, lawyers, witnesses, and jurors has caught the lights and shadows of jury service.

One of the most recent additions to the Home University Library Series published by Henry Holt and Company is *Egypt* by E. A. Wallis

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Budge (pp. 256). The book deals entirely with the history and civilization of the ancient Egyptians.

A collection of excerpts from various magazines and newspapers at the time of the death of Woodrow Wilson has been compiled in a booklet *The Passing of Woodrow Wilson* by Eugene V. Webster (Brewster Publications).

In *What I believe* (E. P. Dutton & Co., pp. vii, 87), Bertrand Russell tells what he thinks of man's place in the universe, and of his possibilities in the way of achieving, by love and by knowledge, the good life.

Mr. H. G. Wells has gathered together the fruits of his recent journalistic endeavors in *A Year of Prophesying* (The Macmillan Company, pp. x, 352). He begins, of course, with the League of Nations, and ends with "an outbreak of auto-obituary."

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RECENT PUBLICATIONS OF POLITICAL INTEREST

BOOKS AND ARTICLES

CLARENCE A. BERDAHL

University of Illinois

AMERICAN GOVERNMENT AND PUBLIC LAW

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